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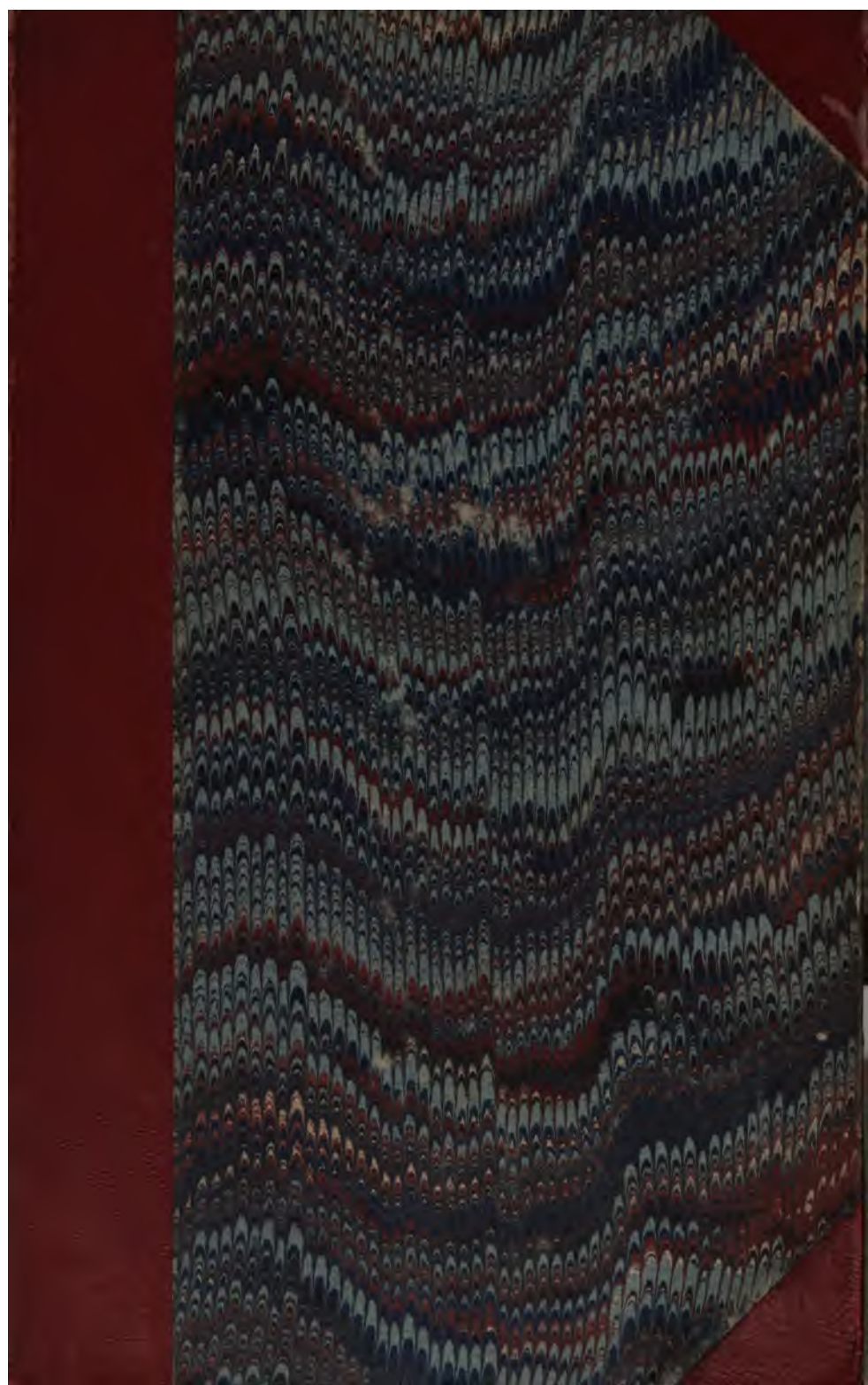
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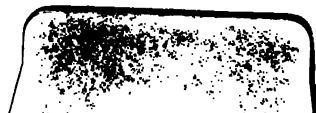
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T H E
POLITICAL DETECTION;
OR, THE
TREACHERY AND TYRANNY
O F
ADMINISTRATION;
BOTH AT HOME AND ABROAD;
DISPLAYED IN A SERIES OF
L E T T E R S,
S I G N E D
JUNIUS AMERICANUS.

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M DCC LXX.

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LETTERS, &c.

To the E—l of H———b.

July 19th, 1769.

AS *Junius* has paid your brother in office, the D. of G. several warm addresses, on the wise management of his department; and, as your L——p has conducted the business of yours with the same wisdom and with the same success, there seems no impropriety in paying you the same compliment. And, that the public may the better judge of your ministerial conduct, I shall endeavour to state the whole (as far as my memory furnishes me with facts) from your first appointment to the Board of Trade,^b to this period.

A peace being then concluded; a vast extent of territory acquired; and the nation, as far as ministerial influence would reach, made to assent and acknowledge, that though we had given up millions to a vanquished enemy, the continent of *North America* had been cheaply purchased; we were amused with the hopes of seeing new

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Colonies

Colonies rise, and had, indeed, solid grounds to expect everlasting springs of wealth from those already settled and cultivated. From hence every loss was to be repaired, every burden to be alleviated, and all past calamities to be softened into oblivion. This was the language of that very Board over which your L——p was placed. Have these blessings been produced? or, have we a right to expect them from present appearances? could they possibly succeed the measures you adopted? Your first attempts were to settle and cultivate the two *Floridas*, which, in *America*, are as the deserts in *Asia*; and may, like those, prove the dwellings of desperate villains; but can never be made useful or advantageous to the state.

Your first attempt to regulate the ancient Colonies, was by stripping them of their paper currency, which had been one of the greatest means of supporting their trade to these kingdoms; though you, at the same instant, saw (and must be supposed to concur in the measure) our own fleet, fitted out, to stop all the *Mexican* silver (which alone, could have replaced the necessary medium) from finding its way to them. You, at the same time, recommended the laying heavy burdens on their *West-India* trade, by which they were formerly assisted to pay the balance due to this country. You choed back to the Premier the establishing those dangerous
Admiralty

Admiralty Courts, which still continue oppressive to the fairest trader ; and, to complete the system, approved, and advised that fatal source of discontent, the Stamp-Act. Here, (happily for *Great Britain*) ended your first *glorious* administration. Your second is of the same impression. The influence of the Butean party, of which your L——p is undeniably one, unfortunately led the legislature into a measure similar to those I have just mentioned, which would have been but awkwardly enforced by a Secretary, whose sentiments were utterly against it. Hence it became necessary to discard him, and call for your assistance. The first matter of importance, (which, though very trifling in itself, became, by your L——p's *wise* management, not only important, but dangerous) was the circular Letter of the *Massachusetts*'s Assembly, to those of the other Provinces, written with innocence, replete with loyalty, sounding with harmony, and dictated by reason and good policy. Even this Letter you represented to your S——n, as factious, seditious, &c. and fell into despotism yourself, to make them obedient, by ordering the vote to be rescinded, upon pain of their dissolution. You recommended sending Troops and Ships of war, to keep the peace. You should remember, my Lord, these are not peace officers, and, as might well be expected, they were the first to break it. To intimidate the
 people,

people, you drew up Resolves, and an Address to his M——y, founded on evidence from Governor *Barnard*, the Commissioners of Revenue, Custom-house Officers, and a few poor, expectant and dependent creatures, whom your L——p corresponds with in *Boston*; and thereby, having imposed upon, and deceived the legislature, sanctified your despotism, at the expence of their last Liberties; (as appears in lively colours by the petition of the *Virginia* Assembly;) and, to complete your plan of folly and iniquity, you have recommended his M——y to confer honours on the man, who, though your friend and colleague, will never rise above a * Proctor. For his inexpressible meanness, and a low cunning, are incompatible with the Governor, or Baronet.

Now, my Lord, survey your measures, and their consequences, in a few lines, from which I beg you to draw your character, as a Minister. Great and lasting blessings were promised. Do they appear? or are they now felt or acknowledged by the public? The two governments of *Florida* have been very expensive; have buried vast numbers of those glorious sons of war, who fought our battles, delivered our country, and deserved our utmost care and tenderness. They produce nothing but diseases and lamentation. Taking away the paper currency of *America*,
has

* This Tool of Oppression, was a Proctor in *DeBors Commons*.

has indeed, hushed the complaints of a few arrogant merchants ; but, in return, has been attended with an immediate stagnation of trade, unparalleled distress, for want of a medium in the payment of *British* debts, and is cruelly felt in every corner of this kingdom.

Preventing the *Spanish* silver from the Colonists, has proved still a much greater injury to the trade and manufactures of *Great Britain*, and has, for ever, I fear, lost us that, the most lucrative of all branches of commerce ; and, what is worse, our enemies are rising in wealth and power by our losses. The burdens laid on such branches of commerce as we, from *Europe*, could not carry on, have had no other effects than disabling the Colonies from paying for our manufactures. The Admiralty Courts have driven most merchants of eminence and spirit out of a trade, which could not be secured by law from their greedy avarice ; and unlimited power ; and the Stamp-Act, had it been continued, could not have produced any neat revenue, when there was no money in the country ; though it must be owned, it has been attended with the most dreadful mischiefs. The present revenues are founded on injustice, by yourself confessed to be anti-commercial, and the sums produced, do little more than pay the salaries and expences of collection, though the people have, all along, paid the duties without resistance.

resistance. Hence, no benefit can be expected to the public. Your pretence for enforcing and continuing these acts, is to preserve and support the dignity of Government, which every moment loses ground, by a firm, serious, spirited opposition, and unalterable determination of all *America*. If you meant any thing by your commands to rescind, you meant to keep the Colonies disunited : this very command united them to a man. The Troops and Ships of war, have convinced the most phlegmatic in *America*, that their Liberties were in danger, and that rigid Virtue only must save them and their constitution : your Peace-officers, and armed Constables, have been the cause of the only considerable riot which has happened. The sanction of part of the Legislature does not prove your measures legal ; but has made you more detestable, and immoderately increased their love for those men among them, who stood foremost in the cause of Liberty. And, though you have hitherto been able to deceive your S——n, and insult his subjects ; though you have represented innocent and legal measures of seeking redress, as factious and rebellious ; though you have endeavoured to drive the best of men to desperate remedies ; they have disappointed your expectations, and will, by the aid of their fellow-subjects in *England*, live to see you as contemptible in the eyes of your R—l Master, as you are now
 to

have enumerated most of the important measures which you have, while in power, recommended or enforced ; they are clearly, and in general, diametrically contrary to the interests of this country, as well as of *America* ; and many of them have been attended with consequences totally contrary to your own expectations and designs. You are come to your *ne plus ultra* (or, as your *friend B——d* elegantly expresses *himself*, to the end of your *tether*) and you had better resign now, than increase your own perplexity, by adding new burdens to those you have already brought upon the whole *British* empire. I shall take another opportunity to explain your motives, your principles, and connexions. Till then, I am,

With due respect and obedience,

Your L——p's humble servant,

JUNIUS AMERICANUS.

To the E—l of H———b.

August 20, 1769.

IN my former address to your L———p, of the 19th of *July*, I stated some of the principal measures of your administration, and promised the public an explanation of your connexions, principles, and motives. For, though I myself have watched you in your public proceedings, know every charge to be strictly true, yet to those who are but little acquainted with the business of your department, such a series of unexampled blunders may appear too highly coloured, till some reasons are offered to account for such amazing errors.

Some men have been influenced to serve the public from the most noble and exalted motives, such as universal love and benevolence; a laudable ambition for raising the dignity of the State; and abhorrence of public Oppressors. Others to gain the praises and adorations of their fellow-citizens, have stedfastly pursued the paths of virtue; have made themselves the leaders of the People, and Champions for the great cause of Freedom, till the inducements to forsake both, have become too mighty to be resisted. And even after they have deserted this cause with reluctance, they give up the hopes of retaining

taining popular confidence. Whenever we behold a rising character, we charitably hope, and fondly wish, that the spirit of true Patriotism may fire the genius, and fill the soul; but you, my Lord, have never claimed the merit of even momentarily deceiving us with this pleasing expectation. For, at your first appearance in the Senate, you discovered an inclination to serve the State, for a more direct, but less honourable reward; you soon lost all influence and affection in *Ireland*, because you soon discovered no love for that your native country; you early became detested, because you early sought to enslave that kingdom. Who then but the Earl of *Bute*, would ever have insulted this great empire so highly, as to employ you in any public office? Can any thing be more absurd than to suppose, that a *man* who would have bartered away the liberties and property of a country, in which he was born and interested, could possibly serve this, where he was a stranger and had no property? Yet the absurdity is not complete, till we recollect you was placed at the head of the Board of Trade and Plantations; and a separate Colonial Department made out for you. As if he, who had so notoriously endeavoured to sell one Colony, was the only person to be intrusted with the tenderest interests of all. Your conduct has proved, what every one who knew your character expected. The Board of Trade is become the greatest engine of oppression to Commerce; you

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have

have lost us the Trade of our once valuable Plantations, with which that of these kingdoms must soon diminish. You have not only made yourself supremely contemptible throughout all *America*, but have, in the space of about eighteen months, destroyed that necessary mutual love and confidence, which had ever subsisted between that country and this, to the unspeakable advantage of both.

There is one thing, my Lord, worth your own observation, as well as that of the public. That is, in all the calamities which we have lately experienced, and which you have been instrumental in bringing upon us, your name has always stood closely connected with those detestable men, who are known to be the Tools and Partizans of the Earl of B—; your principles and motives are undoubtedly the same: for I remember an old Proverb—"Tell me the company, and I will show you the man;" whatever opinion the public may have of them, they must therefore have the same of your Lordship;—you receive similar wages, you must most assuredly share a similar fate;—you called the united voice of *America*, Mr *Otis's* faction; you may perhaps for a time, stop his M——'s ears against the cries of *England*, as you did against those of *America*, and a second time deceive your honest, injured ———, by declaring the voice of the Nation and Common Sense, to
be

be that of a seditious, disappointed Party. But, know, my Lord, and tremble! the murmurs of an incensed People, are just, they are universal, they must, they will reach the T——c. Therefore be prepared to enslave your country, or secure your retreat from its just and awful vengeance.

JUNIUS AMERICANUS.

To the E——l of H———b.

October 9, 1769.

AS your L——p has hitherto devoted your attention chiefly to the laudable endeavour of riveting the chains of your own country; you may not, perhaps, have had leisure to enquire minutely into the characters of those with whom you have now connected yourself in the same views on the liberties of this country, and of *America*. I will therefore furnish you with some leading tracks in their genealogy, which will assist your judgment. For, my Lord, you are so young in the service here, that we may judge of your principles from those with whom you associate. The first of these characters is the Earl of B——, your patron and leader, under whose notorious banners you have lifted

in that honourable corps, denominated K—'s men. The only principle of this body, is that of supporting prerogative at all events; the constant aim of this faction for the C—n, is to remove, or render ineffectual, the constitutional limits set to the will of the —, that is, to make him arbitrary. A fitter head than the Thane, I have mentioned, for such a body, chance nor choice could not have discovered. Descended spuriously from a *Scottish* King, his predecessors have been ever distinguished as devoted instruments of arbitrary power. Nor did the blood of Sir G—— M——, advocate for *Scotland*, and a second *Jeffries*, which flowed into him from his grandmother, contaminate the original stream. If your L——p will therefore give yourself the trouble of enquiring under whose countenance Jacobitism and Popery, have lately raised their baleful heads in *North Britain*, you will find it to be under that of this Lord, his brother, and his secretary, who is of the rankest Popish family in *Scotland*.

The second in this list of worthies, is one whom the public has had such infinite reason to venerate in the seat of J——e, Lord M——d. If any one should know who I mean, by hinting, that he is said, some years since to have been arraigned for drinking the Pretender's health on his knees, I am not to blame; for indeed, my Lord, I abhor the action, and most sincerely wish, he had received the punishment
it

it deserved. His oratory, it is true, shielded him from punishment; but your L——p's sagacity will discern, that eloquence, when it moves compassion, does not always extenuate guilt. His brother was less capable of disguising his principles, and therefore followed the Pretender's fortunes in the character of his secretary; and died in his service.

Lord H——d will forgive me, if I make him but the third in this illustrious catalogue. His merits are indeed second to none; but though he is now in the coach, by birth he is but one remove from the box. Far be it therefore from me to profane the sacred name of *Scotch* heraldry; for he too owes his origin to *North Britain*. But as his father was not higher than coachman to a Duke, it is not probable he was more than cousin to some noble family in *Scotland*. His progenitor filled that office, in the service of the atrocious Duke of *Lauderdale*, whose memory is crimsoned over with the blood of his countrymen. The servant rose in his master's favour, probably, my Lord, by the same kind of *faithful services* with those by which a certain G——r has gained your L——p's most high esteem, and the dignity of a Baronet of *Great Britain*.

I have been more particular in tracing the genealogy of this noble Lord, because you have the honour of being related to him by marriage; and he is your L——p's counsellor and friend.

These

These are the chief leaders in that Right Honourable band, from which this nation has so many blessings to expect; and in which many inferior characters, like your L——p, too numerous to be mentioned here, are arranged.

Could an almost total want of abilities have excluded you from among the Tools of despotism, the odium of your character had not passed St George's Channel; you have now the melancholy prospect of spreading it over all the *British* dominions. To the contemplation of this prospect; I will now leave you.

JUNIUS AMERICANUS.

To the E——l of H———b.

October 12, 1769.

IN my preceding letters to your L——p, I have taken a general view of your conduct; give me leave now to be a little more particular.

Your L——p's entrance into a new department for *North America* was at a critical time, when a sense of fresh attempts made on their liberties, had raised in our Colonies a general disposition to complain. To complain, is a privilege, which even the despotism of *Turkey* does

does not deny its wretched slaves ; and instances have occurred even there, of the heads of very arbitrary Bashaws, falling a sacrifice to the reiterated complaints of the people. But your L——p would refine on Eastern tyranny, and stifle even the murmurs of misery in the oppressed subject.

In this true spirit of modern ministers, you transmitted a circular letter to every G——r on the continent of *North America*, enjoining them to dissolve their respective assemblies, should they attempt to complain. In what words shall I admire your L——p's wisdom, who thus planned the support of government, by the dissolution of all government ? But I beg your pardon : you had in reserve a mode of government, in your judgment, infinitely better than the one established by the constitution ; I mean that of the Military. My Lord, may I felicitate you on this laudable expedient ? Has it succeeded to your wish ? Have you been able to re-act on the Common of *Boston*, the glorious tragedy of *St George's Fields*, and emulate in the fame of that brilliant day, your renowned co-adjutors in office, the Lords B——g——n and W——y——h ?

To effect this change of civil into military government, you entered into a close and confidential correspondence with G—— B——, who was the avowed incendiary of *America* ; and with the Commissioners of C——t——ms in *Boston*, who were personally, as well as officially, the ob-
jects

jects of universal abhorrence and contempt. For they were men, who to the odium of former bad characters, added the deeper guilt of treachery, in becoming the willing instruments of oppression over their fellow-subjects.—It was obvious you were in a fair way of receiving the most *impartial* and *conciliating intelligence* from such *informers*.

Instigated by these counsellors, but above all, by that truly constitutional spirit of administration, which taught them *effectually* to support the civil Magistracy by military force, your L——p commenced hostilities in form, both by sea and land, against the town of *Boston*. Your Generals then reaped laurels abundantly, and transmitted them to you in the triumphant assurance, that *they were in full possession of the town*. Such was their phrase for *quartering troops there in defiance of the law*, and making a hostile parade in the midst of peace. Encouraged by them, the common soldiers spurned at all civil authority, abused the inhabitants, assaulted the officers of justice, and carried the law on the points of their swords. These were *glorious times* ! but alas, my Lord, all human triumphs are frail. Your troops have been obliged to abandon their conquests ; and all their laurels are blasted. *Cushing* still lives ; *Otis* harangues with spirited firmness ; and the civil power begins to resume its hated offices : nay worse, the day of retribution approaches, and your L——p must

must answer for having invaded the privileges of a free assembly, by a threatening letter, and having infringed an act of parliament, in quartering troops in Boston, expressly contrary to law.

These offences, my Lord, are rank, they smelt to heaven. Your crimes are great, the proofs are pregnant, and vengeance will pursue you, even under the protection of your *Thane*.

The prejudice, artfully infused into mens minds by your Tools, the enemies of all constitutional liberty, "That the *Americans* were seditionously opposing the just authority of this country," has prevented the people here from paying that attention to the complaints of their fellow-subjects in *America*, to which their hatred of arbitrary power would naturally have disposed them. Under the protection of this prejudice, your L——p has too long conducted your despotic system unmolested. But this evil is daily removing, and I hope a little time will lay your character and conduct before the public in their genuine lustre. And trust me, my Lord, it shall not be my fault, if any light be wanting, to demonstrate how true you have been to those principles, which have ever actuated your patron, and rendered him most execrable.

It was precisely on the principles which recommended you to his choice, that your L——p has advanced the disappointed Tools of despotism in the Stamp-Act, to offices of respectability and trust in *America*. The appointments in

the Judge-Admiralty Courts, and in the Deputy Governorship of N— C—a, of men, contemptible in character, abilities, and fortune, were sufficient to have reflected disrespect on any offices. Men who had nothing to recommend them but the alacrity they had before manifested, in aiding to violate the sacred rights of their country. As if, in your L——p's estimation, the Stamp-Office was the best school for Judges and Governors, and that they, who had betrayed their fellow-subjects, were most likely to judge among them uprightly, and govern them with moderation. The temper of the times called for *conciliatory measures*, and your L——p *wisely* met this temper, by *irritating resolves*, and by prostituting a title on him, whom a malignant endeavour to kindle an unextinguishable and fatal enmity between *Great Britain* and her Colonies, had raised from *contempt* to *detestation*. Will you, my Lord, give me leave to *augur ill* of these proceedings; that the effect of them must be to excite universally the hatred of the people? and *Cicero* will instruct your L——p, that the hatred of the people is able to ruin the most absolute authority. You have ventured to make the trial: tremble at the issue.

JUNIUS AMERICANUS.

To the E—l of H———b.

February 16, 1770.

IT is so long since I had the honour of addressing you, that you perhaps may have been flattered, your conduct, with respect to *America*, had undergone the severest scrutiny; and every thing reprehensible in it had been fully exposed to the public. Equally happy would it have been for your L——p, and for *America*, if this were true. Certain it is, that the most unwarrantable, I speak tenderly, and injurious of your measures, remain to be held fully forth to public censure. Perhaps too, my Lord, when justice resumes her sword, and the thunder of impeachment bursts forth, they may bring you to public punishment.

The first charge against you arises from a design to dissolve the Assembly of *Massachusetts* Bay, for not obeying your official mandate, and to provide for the support of government, without the intervention or authority of the Legislature. Your L——p's historical knowledge will inform you, that such was the design in this country, of those wicked Ministers, whose evil counsels brought to the scaffold their ill-fated master, *Charles* the First. Their intention was to govern this kingdom without a Parliament;

your's was, to govern the provinces of *America* without their Assemblies.

This design of your L———p, appears from your Letter, N° 9; not from my exposition of it, but that of one whom you will not even suspect of partiality to me or my cause, the confidential friend of your generous and noble bosom, Sir F—— B——. Let the words of this able and upright G———r, speak at once for your L———p's constitutional views, and my veracity. In his Letter, dated *Boston, August 6, 1768*, he says, "Your L———p signifies to me, that if the dissolution should operate to the discontinuance of any necessary establishment, care will be taken for the support of Government. *By this it is plain*, that your L———p does not expect that I should call a new Assembly; for in such case your L———p would have directed me to call on the new Assembly, to renew the discontinued establishment."

Your L———p will perceive how much we are obliged to the candor and ingenuity of your friend, for giving us both the text and the comment; a comment, which from any one but so cordial a friend, might appear to be *set down in malice*. And every impartial reader will judge, whether the charge brought against you by G———r B———d, of intending to provide for the support of Government, without calling a new Assembly, be upon good ground; and whether

ther such an intention be not as criminal now, as it was in the last century.

The next measure of your L——p upon which I shall animadvert, is *your order to General Gage, to quarter Troops in the town of Boston*. You knew, my Lord, or ought to have known, that the law of the land, an Act of Parliament, forbade the quartering Troops in any town in *America*, unless the barracks were filled, and that “in such, and in no other case, and upon “no other account,” it is made lawful for the *Governor and Council only*, to provide for the quartering of the *residue*. Yet in your Letter of the 8th of *June*, 1768, you command General *Gage*, “forthwith to order one regiment, or such “force as he shall think necessary, to *Boston*, “to be quartered in that town.” It must be confessed that perspicuity in writing is not your L——p’s talent, but there is little doubt of your meaning by this order, that not only Troops shall be directly quartered in the town, contrary to law, but that the General and his Officers shall quarter them, which is another violation of the Statute. It is probable you think, my Lord, that laws were made for the restraint of little and ignoble souls, but that a mind great and noble like your L——p’s, and teeming with exploits of vast pith and moment, should act unfettered by such base controul. Therefore when your L——p had conceived the magnanimous idea of besieging *Boston*, which in the same
Letter

Letter you observe with infinite sagacity, “ might lead to consequences not easily foreseen ;” such petty objects as the law of the land, and the constitutional rights of the subject, fell before the greatness of the design.

The weakness of your conduct, my Lord, had it not been leagued with the most arbitrary and pernicious principles, should have passed with me in silent contempt. Not that I believe that my opinion will give you any uneasiness, while you have the approbation, and most cordially you have it; of that nobly born and most illustrious person, Sir F——s B——d, Baronet, of *Nettlebam*. You, and the rest of the *K——’s friends*, despise the voice of those *base-born* people who compose the public; and as one of the most spotless of you lately expressed it, are indifferent whether you are huzza’d or pelted in the streets. Provided, I suppose the Noble Lord meant, that you might continue plundering and oppressing the public, without further molestation.

I come now to a measure, by which your L——p laid the foundation for abolishing at once, the whole system of civil liberty in the Colonies, by *rendering the military power in Boston, supreme and uncontrollable*. I love to speak from good authority, and therefore shall draw my proof from your amiable friend Sir F——s B——d his answer to a message from the House of Representatives of *Massachusetts Bay*, on the 31st of May, 1769.

“ GENTLEMEN,

“ GENELEMEN,

“ I have no authority over his Majesty’s ships
“ in this port, or *his troops within this town.*

FRANCIS BERNARD.”

If the Governor, the supreme Magistrate, and the immediate Representative of the King, had no authority over the military in the very capital of this Province; will your L——p be pleased to tell us who had? Any common soldier in *Boston* would answer the question; and it was in consequence of their knowing their supremacy, that a body of them, countenanced by Colonel *Dalrymple*, and another Officer, marched with their swords drawn to a Justice’s house, and rescued a Soldier from the Civil Officers. Did Governor B——d ever call upon Colonel *Dalrymple* and the Officer, to answer for this outrageous violation of the Civil Authority, and defiance of all legal Government? Or did your Lordship ever do it, or do you ever intend it? Did the Faction, as Governor B——d, the Commissioners, and your Lordship have denominated all the well-disposed people in *Boston*, ever commit an offence against Government similar to this?

And now, my Lord, I must seriously entreat you to consider what you have done, or intended to do;—to govern without the constitutional intervention of Assemblies; to quarter Troops in *America* directly contrary to Act of Parliament;

liament; and to advance the military above the civil power. Your Lordship is, I suppose, very conversant in our history, and I beg you to consider, whether the whole of my Lord *Clarendon's* conduct, with respect to the Colonies, was half so criminal as any one of these measures: Yet one article of his impeachment is, "that he had introduced an arbitrary Government into his Majesty's several Plantations." The honour and justice of *England* combined at that time, the grievances of this Country, with those of *America*; and the Colonies must now appeal to the same principles in this nation, for bringing their oppressors to public justice by the constitutional mode of impeachment, which the Colonists have it not in their power to exertise. By these means only, can the advisers of these arbitrary and illegal measures be brought to condign punishment.

JUNIUS AMERICANUS.

To Sir F——s B——d.

October 25, 1769.

FROM developing the character, connections and conduct of your Patron, L—— H——, I come now to an enquiry into those of his favourite Governor. From birth, Sir F——, you derive no splendor; it would even take more trouble, than I am inclined to bestow upon a subject

subject so insignificant, to draw it from absolute obscurity. From abilities, neither would you ever have claimed attention, had it not been for the memorable æra of the Stamp-Act. It was then that your Excellency stepped forth, and justified this observation of an incomparable female historian, that “grovelling instruments of oppression are ever insolent in office, in proportion to the baseness of their education, and the fervility of their natures.” You became from that period, the incendiary of *Great Britain* and her Colonies, and the eligible instrument of establishing despotism in *America* to that set of men, who were meditating the same destruction to the constitutional liberties of *England*.

You are now to appear at that tribunal, from which there is no earthly appeal; the tribunal of the public. Here the upright magistrate has every thing to hope, the oppressor every thing to fear.

I begin with your first appearance during the Stamp-Act: your representation then was, that *the intention of the Colonies was to render the authority of Great Britain contemptible*. This charge is brought against you, in the most solemn manner, by three and thirty Lords, spiritual and temporal; the validity of it therefore is hardly questionable*. The intention of that repre-

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sentation,

* See the Protest of the Lords against committing the Bill for repealing the Stamp-Act.

sentation, Sir F——, is equally obvious: To inflame the minds of his Majesty's Ministers and of the Legislature, so as to divert their attention from the *justice* of the *American* complaints, to a *criminal and exasperating intention* in their opposition, which existed only in the malignity of your own heart. Governed thus by *supposed intentions*, and not by *real facts*, this country was to have denounced war against her Colonies, and to have cut afunder, with her own sword, the sinews of her commerce and of her wealth, to gratify the malice of an arbitrary, provincial Bashaw. Happily, however, your views were at that time disappointed; and your vengeance reserved for a more favourable opportunity, which too soon presented itself in the advancement of your present Patron to the *American* department. The Stamp-Act was repealed, and the thanks of the *Americans* for the repeal were transmitted in Addresses to our most gracious Sovereign, without once mentioning the *declaratory Act*, which threw a melancholy shade on the future prospect. So far were the Colonies from seizing every ground of complaint, or being solicitous to draw into contempt the authority of *Great Britain*. Every thing was now quiet in *America*, so that even in your own Government, the people acted "with temper and moderation." May we not conclude then, Sir F——, that your charge was as groundless as it was malicious? A charge, in which you were supported by one
other

other Governor only, the unhappy old man at *New York*.

The tranquillity of *America*, and the harmony between the two countries, were now restored; and would, in all probability, have lasted for ever, had not the same arbitrary and offensive ideas been resumed, and drawn into exercise over the Colonies. The Duty-Act excited the alarm that had subsided; and furnished, to your ardent wish, a fresh opportunity of misrepresenting and embroiling the affairs of *America*. In this laudable spirit, we trace you next inveighing, in your letter to the Earl of *Shelburne*, against the circular Letter from the Representatives of *Massachusetts Bay*, to the other Houses of Assembly; which was solely to inform them, that the House had voted an humble, dutiful, and loyal Petition to his Majesty, laying before him the grievances they suffered from the late Revenue-Act, and praying his constitutional interposition for their relief: to make the prayer of which petition more successful, they desired the concurrence of the other Houses. As the grievances arising from the Act were general, the propriety of a general Petition for relief was obvious; and it is left to your Excellency to point out, what method an aggrieved people can adopt, more loyal, more innocent, and more constitutional, than petitioning the Throne. In your Letter, however, you represent this most dutiful and moderate transaction, as an “undertaking.

“calculated to inflame the whole Continent,
 “and engage them to join together in another
 “dispute with the Parliament, about the au-
 “thority of the latter; and that if the Act com-
 “plained of should be given up, all other Acts
 “of *American* revenue must follow*.”

Thus you flattered yourself with having fixed
 an early prejudice against the just representa-
 tions of the people, and an unsurmountable bar to
 the redress of their grievances. But the Noble
 Lord who then presided over the affairs of *Ame-*
rica, impressed with a true sense of the consti-
 tutional rights of the Colonies, viewed your at-
 tempt in its proper light; and you would have met
 with what you deserved, another disappointment,
 had not the department fallen, in an evil hour,
 to one perfectly fitted for your purpose, which
 was, in truth, to inflame the whole Continent,
 and renew the dispute so little profitable to either
 country. How happily your Patron and you have
 succeeded in this, the state of *America* from that
 time to this, will abundantly demonstrate. You
 have had the pleasure of hearing your own words
 re-echoed back from the empty heads of your
 superiors here; your plans have been adopted,
 and have kindled flames which rendered you
 unsafe in *America*, and may consume you here.
Raro antecedentem scelestum, deseruit pede pœna
claudq.

JUNIUS AMERICANUS.

* See his Letter, February 18, 1768.

To Sir F——s B——d.

November 3, 1769.

I Left your Excellency hardening the mind of the Minister, against every just and favourable impression for *America*; and infusing prejudices, which, if imbibed, must (unless he departs from his known disposition) incite him to enforce oppression by military power. Nothing can be conceived more contemptible, than the low detail you entered into of every trivial circumstance, of every coffee-house bable, and even this hideously caricatured to your purpose, in your Letters to the Secretary of State. The public will be furnished with them in due time, and will perceive how despicable and weak you are, even in artifice.

Despicable, however, and weak as your artifices were, they operated on L— H——, like proofs of *Holy Writ*. All the flimsy and abusive coinages of your pernicious imagination he got by rote, and eternally retailed with the same wisdom that a parrot calls names, or a pious Catholic repeats his Pater Noster.

You wisely prognosticated, that “ if the late Duty-Act should be repealed, all other Acts of *American* revenue would follow.” Let me congratulate L— H——, that, in this particular, he seems to have emancipated himself from
his

his usual implicit obedience to your oracular observations. For we find that his L——p's assurance of having this Act repealed next Session, has circulated through the whole Continent: and his reason is, that the Act is inconsistent with the true principles of commerce. It is somewhat unfortunate, that he should have been so long in discovering this, when it was so early and repeatedly demonstrated to him, that one would presume even Dullness itself would not have shielded him so long from a true conception of its pernicious tendency. But possibly, this Noble Lord thinks, that riches flow too copiously into this nation by the channels of commerce, and that stopping them up *for a year*, or *narrowing them for ever*, will be of national benefit.

Were not the subject of your misrepresentations, Sir F——, to the last degree, great and grave, involving in it the fate of millions, and, eventually, the Liberties of the whole empire; one could not avoid smiling with equal contempt at your treachery, and at your Patron's folly. Yet let me be candid, and confess, that to *you* some degree of indulgence is due, from the impossibility that one of your birth and education should possess higher or more just conceptions of the duties of a Governor.

It cannot be presumed, that such a man should entertain sentiments in any degree worthy the representative of an illustrious Prince. And, give
me

me leave to say, that the Poet's observation of *quo semel est imbuta recens servabit odorem, testæ diu*, was never more fully illustrated than in the numerous quirks and quibbles which have distinguished your Excellency's altercations with the Assemblies of your Province.

Your Excellency had repeatedly made representations to the Secretary of State's Office, of the necessity of sending Troops to B—n, without giving any facts on which so violent a measure might, with propriety, be founded. For, indeed, there were none. The civil magistracy had, in no instance, been opposed; the Revenue-Act, odious as it was, had been submitted to; and seizures made, *in the common mode*, without opposition. The wisdom and virtue, therefore, of Lord *Shelburne*, treated those idle and malicious informations with the contempt they deserved; but his successor in office, yielded to them his heart and his faith.

The Minister was charmed with a Governor so similar to himself; we therefore find the order from L— H—— to General G——, to send Troops, dated the 8th of *June*, before the riot about the seizing the sloop *Liberty* had happened. I say, before this riot happened, because the necessity of sending them is, in the Resolves he afterwards drew up, founded on this riot, and on the subsequent transactions of the town.

I am now, Sir F——, to trace you through this dark business of the riot, and to shew that
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it was contrived by you, to give some credit to your injurious representation ; in consequence of which, you were well assured, a military force would be sent to *B—n*. To accomplish this, it was necessary you should be on good terms with the Commissioners, that you might influence them to direct some arbitrary proceedings, to occasion the disturbance you wished. In this you succeeded ; for, in your Letter of the 19th of *March*, 1768, you say, “ The Commissioners, “ with whom (I mean four out of the five) I am “ upon the most intimate terms,” &c. &c. &c. It is confessed too, by the Collector, that the Chair-man of the Commissioners, one of your intimates, was the person who advised the delivering the vessel, when seized, to the man of war. The Collector and Comptroller jointly assure the Commissioners, that the seizure was the means of inflaming the minds of the people. Had not this business been pre-concerted, we should not have found those four Commissioners persisting in their plan, of flying from the town, and calling for military support.

The riot happened on the 10th of *June*, in consequence of the Officers seizing, and carrying away by force, the sloop *Liberty*. The next morning the Council met, and finding every thing quiet, desired the Governor to inform the Commissioners, that there appeared no reason to apprehend any farther disturbance ; and that they had appointed a Committee, who were in
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the Commission of the Peace, to examine into the late riot.

It might have been expected, that such an assurance, and such attention to their security, would have quieted the fears, which the preceding disturbance had occasioned in the Commissioners; especially as we find the Governor dined with them that day, and should have naturally related to them the proceedings at the Council-board. But, instead of this, they pretend to see the danger magnified, and two of the four, *confidential* Commissioners fled that night on board the man of war, affecting great apprehensions of insult and outrage to the whole Board, if the Commissioners remained in town. The next day the other two followed. Mr *Temple*, the fifth of them, *who was not in the secret*, remained in the town, unthreatened and unmolested. After their flight, they received fresh assurances from the Council, that there was no appearance of danger; and the Collector and Comptroller informed them, that all Mr *Hancock* (who owned the sloop) and the people desired, was, that the vessel should be returned to her moorings, on condition that Mr *Hancock* gave sufficient security for the delivery of her, should she be condemned; and they add their opinion, "that it would be a measure of policy
"to take this security, and release the sloop,
"for the preservation of the officers and tranquility of the town." But the Commissioners

voted that request a menace, that they were in imminent danger, and retreated, with Governor *Bernard's* assistance, into *Castle-William*. On the 14th a Town-meeting was held, in which a Petition to the Governor was voted, to supplicate his interposition to save the people from those violent and arbitrary proceedings of the officers of Customs. So far were the people from intending to redress themselves, or use any violence. Of the particulars of this meeting, the Commissioners were that night informed, *by their spy, who attended it*; who mentions, that the minds of the people were quieted, and that the Tide-waiters were allowed to continue in the meeting, professedly, that every one might enjoy his right of hearing what was said. This bore the strongest appearance of peace and good order, and would have satisfied the Commissioners, had it been their plan to receive satisfaction. It was not so; and therefore, the next day, they wrote a circular letter to General *Gage*, Colonel *Dalrymple*, and Commodore *Hood*, informing them, " That the riot was now increased to an appearance of actual insurrection; and desiring troops to support them in their office." The seizure they still maintained in despite of the people, nor did any disturbance ensue. It must be observed, that whatever impressions of fear might have been made at first, their apprehensions must have been removed, by perceiving that two of their

their obnoxious number, who remained on shore the night on which they pretended to dread so much, received no injury; and Mr *Temple*, with Mr *Venner* their Secretary, continued in the town, without ever being insulted. This the Comptroller confesses, in his examination at the Treasury-board.

From this detail of these transactions, it must, I conceive, be evident to every reader, that it was not the *real* situation of things in the town, which could govern or justify the proceedings of the Commissioners; but that they acted conformable to a *preconcerted plan*, from which they were determined nothing should divert them. The facts are taken from their own Memorials to the Treasury, and other papers laid before the House of Commons.

From unfolding the conduct of the Commissioners, I return now to take a view of that of G—— B——. The Council, as was mentioned before, had appointed a Committee to enquire into the facts relative to the riot. This should have been *public, fair, and authentic*; but it was not for the G——r's purpose that a true inquisition should be taken; it was requisite for his views, that he should have it in his power to make what representation of it he pleased.

In pursuance of this scheme, we trace him in the minutes of Council, on the 13th of *June*, proposing, "That the inquiry into facts, relating

“ to what happened on *Friday* night last;
 “ which had been designed for this morning,
 “ be postponed.” The Council therefore resolved; that there was no immediate danger of fresh disturbances; and that the enquiry should be referred to a Committee of both Houses. Soon after this, the G——r dissolved the Assembly, for not rescinding; and it remained with him to make as partial and inflammatory a representation as he pleased, without danger of immediate contradiction.

It is happy, Sir F——, that bad men are not always wise; and that the contrivers of evil, seldom look forward enough to prevent detection. Thus, having secured a military force, and dissolved the Assembly, you thought the chain was effectually fixed, and your tyranny established. Not foreseeing that an Assembly might again meet, that a spirited Council might counter-act you, and the means by which you had effected this mischief, in being discovered, might bring you to a shameful fate.

I have not the least doubt, that your fellow-labourers here were governed by the same improvident confidence; and that having contrived *the arbitrary and inhuman business of St George's Fields, with the unconstitutional election for Middlesex*, they trusted, that under the execution of these fatal measures, the Liberties of this nation would expire for ever. Little did they foresee, that the spirit of this free people was like a
 spring

spring well tempered, the more they press it down, the more forcibly it would recoil, and the more inevitable would be their ruin.

It is the trust, Sir F——, it is the wish of every honest man in this country, that, as they have dared to bend this spirit, they may feel the avenging force of its impetuous recoil.

JUNIUS AMERICANUS.

To Sir F——; B——d.

November 15, 1769.

YOUR next contrivance, to serve your purpose of bringing the people under military government, was so extravagantly wicked, that were it not under your own hand, one would hardly believe it. This was no less than a charge of treason against five hundred persons, without a shadow of proof against them. In your Letter of *September 16, 1768*, to the Secretary of State, you say, “The other meeting, as I am informed; “ was very small and private, on *Saturday night*; “ at the house of one of the Chiefs, and there “ it was resolved to surprize and take the *Castle* “ on the *Monday* night following:” And again, “The design against the *Castle* is now so well “ known, that it is propable, that the very “ names of the people who were enrolled for “ that

“ that purpose, to the number of five hundred,
 “ or the chief of them, will be discovered.”

If this was not a sham plot, where was the Chief Magistrate, Sir F——, where was the Governor, that he did not immediately seize the contrivers of this treasonable combination? He knew, it seems, the house in which they were assembled, the time of their meeting, the treason they meditated, and even that they were enrolled for this unlawful purpose? yet, in this particular emergency, you did nothing but write a Letter, which could not have passed half the ocean, before the mischief, had any been intended, would have been irreparably effected. Neither, after being furnished with such potent Resolves from hence, in consequence of that Letter, and supported by a powerful military force, have you been able even to found this charge against a single person at *Boston*.

If we suppose, Sir F——, that there was the least foundation for this charge, your conduct would be as inexplicable as it is criminal. Such vigilance in tracing the plot to a certain point, and then, a total inactivity and silence: how inconsistent! But if we consider it as a fiction, to support the pretended necessity of soliciting troops, it is plain, that having answered your purpose, it was your business to drop the curtain there, and bury it in oblivion.

Having, by these misrepresentations, brought a loyal people under the most unjust suspicions
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of disaffection, and procured troops to support your tyranny, not the operation of the laws, the next object was to quarter them in the town. As truth opposed the requiring troops, so the law, that odious thing to tyrants and their minions, forbade this method of quartering them. But your E——y triumphed over both these obstacles with equal facility. The whole of this business is detailed in your Letter, N° 5, to Lord H——, dated *November 1, 1768*. After mentioning the many Acts you used in vain to make the Council, Trustees, &c. instrumental in violating the law, you proceed thus. “ During this time the General, who foresaw how this negotiation would end, had employed his Officers to hire, and fit up houses for the troops; so that, by the time I had received the definitive refusal, complete quarters were provided for all the troops. But now another difficulty arose; if the soldiers should be put into barracks, though provided by the Crown, without the intervention of a Magistrate, the Military Officers who placed them there, would be chargeable with taking upon them to quarter soldiers otherwise than by this Act, and being convicted of it by two Justices of Peace, would be cashiered *ipso facto*. I therefore took upon myself to remove that difficulty, and, by a Commission, I authorized a person, therein named, to place the two said regiments, in such buildings and houses as could be procured.”

I will now lay before the Reader an extract from the *American Mutiny-Act*, and leave him to make his own comment; observing only, that the barracks in *Castle William* were, at this time, empty. This Act says, “ And in case
 “ there shall not be sufficient room for the offi-
 “ cers and soldiers in such barrack, inns, vic-
 “ tualing, or other public ale-houses, *that in such,*
 “ *and in no other case, and upon no other account,*
 “ it shall and may be lawful for the Governor
 “ and Council of each respective Province in his
 “ Majesty’s dominions in *America*, to authorize
 “ and appoint, and they are hereby directed and
 “ empowered to authorize and appoint, such
 “ proper person or persons as they shall think
 “ fit, for the reception of his Majesty’s forces,
 “ such and so many uninhabited houses, out-
 “ houses, barns, or other buildings, as shall be
 “ necessary to quarter therein the residue of such
 “ officers and soldiers, *for whom there should not*
 “ *be room in such barracks and public-houses as*
 “ *aforsaid, and to put and quarter the residue*
 “ *of such officers and soldiers therein.*”

Look upon this picture, Sir F——, of a chief Magistrate being a chief criminal. Is it not hideous and hateful? How odious then! how detestable must be the original! In vain will you plead, that you are but a poor tool of despotism; *Empson* was a tool, *Dudley* was a tool; think of their fate, and tremble at your prospect. You may fly from punishment; but where will you fly

fly from yourself; where will you fly from the reflection of what is past, and from the terror of what is to come? It is your miserable fate, a fate, which those even whom you have oppressed will compassionate, to experience this bitter truth, *tuta esse possunt scelera, secura nunquam*, the wicked may be protected from the touch of the Law; but from the stings of Conscience they never can be shielded.

JUNIUS AMERICANUS.

To Sir F——s B——d.

December 19, 1769.

I Have now laid before the public an account of your proceedings fairly, and at large. But, as your E——y may not be inclined to burden your memory with them in detail, I shall take the trouble of summing them up, that you may be so far in the road to repentance, as to have your sins ever before you.

The Articles then of charge against you, are,

1. That during the Stamp-Act you misrepresented the state of *America*, with a view of inflaming his Majesty and his Ministers against that people; to the imminent danger of producing a rupture between this kingdom and her Colonies, and of utterly destroying the only be-

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neficial

neficial commerce *Great Britain* might *securely* enjoy.

2. That you exaggerated and misrepresented certain disorders in the town of *Boston*, bringing thereby a suspicion of disaffection upon that people, who are most loyal to their Sovereign; and have been, in many important instances, of eminent service to the arms of *Great Britain*.

3. That being the supreme Civil Magistrate, and therefore eminently bound in duty to defend the laws from violation, you suffered, if not encouraged, the Officers of Revenue, to alter, dangerously, the common form of proceedings in case of seizures, and the Officers of the Navy to impress men, contrary to an express Act of Parliament. From which violations of law, and arbitrary proceedings, which, when legally and humbly petitioned, you refused to discountenance, the popular disorders arose.

4. That you have either wickedly accused a number of people in *Boston*, of treason, or have shamefully neglected your duty, in not endeavouring to bring them to justice.

5. That by your misrepresentations you brought upon the good people of that town their Sovereign's displeasure, and the heavy censure of both Houses of Parliament, with a formidable armament both by sea and land, as if they were in actual rebellion; to their great injury, and infinite discredit.

6. That

6. That in violation of the known and necessary privileges of Parliament, and the essential constitution of every free Assembly, you sent a *threatening* message to the Assembly of *Massachusetts Bay*; endeavouring thereby to take from the Representatives of the people all freedom of debate and determination, and to establish a precedent mortally dangerous to the liberty of the subject.

7. That you have attempted to subvert the constitution of the Province of *Massachusetts Bay*, and by devising schemes for removing the constitutional limitations, necessary to render Monarchy consistent with Liberty, have meditated the greatest mischief that can be brought on any people, the making the Crown arbitrary.

8. That in quartering soldiers on the town of *Boston*, you have premeditatedly evaded and infringed an Act of Parliament, to the great oppression of the subject; when, as supreme Magistrate, it was your especial duty to guard the laws from violation, and the people from harm.

9. That betraying your trust, and to the great dishonour of your place, you have taken b—— to connive at smuggling.

Such, Sir F——, are the allegations brought against you, of the truth of which, next to what passes in your own breast, you will find the most convincing proofs in your letters to the Secretary of S——e, and the Commissioners Memorial to the T——y, in the Lords protest against the

repeal of the Stamp-Act; in the petition of the Town-hall in *Boston*, and the Governor's answer; in the Resolves and Address of both Houses of P——t, touching the town of *Boston*; and lastly, in an affidavit of one J. *Toovey*, an Officer in the Customs, who swears to his having received, for the Use of the Governor of *Massachusetts*'s Bay, gratuities for his connivance at smuggling*.

These crimes, Sir F——, are of too deep a dye to admit of being exaggerated. But one cannot help asking for which of these *faithful services* you have merited approbation and honour? Was it for your malignant misrepresentation of the intentions of *America*, during the Stamp-Act, or your repeated misinformations touching the people of your own Province, with false and frivolous alarms of tumults, riots, and treasons, or your daring infringement of an express Act of Parliament, in quartering troops? Or was it that crafty imposition on your Council, to deceive them into a co-operation with you in violating the law, or your most laudable plan for subverting the G——t, and making the C——n arbitrary? Or, in fine, was it for that most daring and flagitious Act, of which the most abandoned times furnish not one precedent, the threatening the representative body of the people with dissolution, if they did not comply with the terms of your message? What honour

* *Pennsylvania Chronicle*, June 19—26, 1768.

nour and exaltation these proceedings really deserve, I must leave to the future operations of your own conscience, and to the dispassionate judgment of every friend to truth, to liberty and law.

You have charged the people of your Province with outrageous opposition to Government, and contempt of all legal authority; and you are, yourself, an instance of the injustice of the charge. Your having been suffered to leave *America*, without any mark of popular violence or resentment, is a most manifest proof of their extreme veneration for the appearance of authority and government. *Athens* and *Rome* saw frequently such men as your E——y fall immediate sacrifices to the awakened vengeance of an injured people. Nor did any people, unrestrained by the most reverential idea of sovereignty and power, ever suffer a man to trample with absolute impunity on their most sacred rights; and by his violence and misrepresentation, bring into danger their liberty, property, and lives. Such are the evils that would inevitably flow from their being brought under an unconstitutional military power; and being subjected to the new mode of trial for treason and misprision of treason.

Yet, with all your efforts, you have not been able to re-act in *New England the tragedy of St G——'s Fields*. Was your conference with the Noble L——d, who is illustrious for the first
exhibition

exhibition of that horrible performance, to devise a method of employing the troops more *effectually* on your return to your government? What else has the Southern department to do with that of *America*, which has a peculiar S——y? A S——y more acute, it would seem, in discerning and rewarding services of this kind, than in the contrivance or execution of them.

The avowed purpose of your Excellency's coming to *England*, was to inform your S——n of the state of the Colony in which you presided. Are you then more happy in elocution than in writing? Or is it deemed dangerous to commit to paper any more such plots as those we have detected? For, as Mrs *Macaulay*, in her excellent History, very justly observes, "There may be a
 " faction for the C——n, as well as against it;
 " and conspiracies against freedom, as well as
 " against prerogative. Whoever attempts to
 " remove the limitations necessary to render
 " monarchy consistent with liberty, are rebels
 " in the worst sense; rebels to the laws of their
 " country, the law of nature, the law of reason,
 " and the law of God."

Permit me now to take leave of your E——y, with an assurance that I have set down nothing in malice, since I know you not, nor am in the least emulous of arriving at that honour. If I have sometimes betrayed a little asperity of expression, impute it, I beseech your E——y,
 to

to that honest indignation, which must arise in the bosom of every friend to liberty and virtue, on reviewing the wicked schemes which lead to their destruction. In truth, Sir F——, I cannot help regarding you in the same light with that incendiary of antiquity, who, in despair of perpetuating his name by virtuous deeds, determined to immortalize himself by destroying that noblest monument of *Grecian* art, the *Ephefian* Temple. Nor does it require a spirit of divination to foretel, that your E——y will be similar also to him in fate; who, to use a nervous expression of *Mr Pope*, is

——— *damn'd to everlasting fame.*

JUNIUS AMERICANUS.

To Sir F——s B——d.

March 9, 1770.

YOUR Excellency will pardon me for troubling you again, with the unpleasing representation of your conduct in *Boston*. I mean now to shew, with how much honour and truth you acted towards the people, even in the sacred moment of immediately representing your Sovereign.

What I shall here lay before the public, will be an additional proof how becomingly you
filled

filled the office of representing Majesty, the fountain of excellency and honour; with what good faith you conducted yourself towards the people; and how entirely worthy you are of confidence and credit.

The select men of *Boston*, touched with the deplorable condition to which the misrepresentations of their enemies had reduced the town, so as to bring it under the dread displeasure of their Sovereign, from whence it was surrounded with Ships of war, filled with Troops, and subjected entirely to military government, thought it their duty to enquire from what causes that displeasure and its calamities arose. For this purpose they presented an Address to their Governor, in which, after justly and pathetically representing this situation of the town, they proceeded thus :

“ What still heightens the misfortune is, that
 “ our gracious Sovereign and his Ministers have
 “ formed such an idea of the present state of
 “ the town, as to induce a necessity of this naval
 “ and military force, for the aid of the civil
 “ Magistrate, in the preservation of its peace
 “ and good order.

“ Your Excellency can witness for the town,
 “ that no such aid is necessary. Loyalty to the
 “ Sovereign, and an inflexible zeal for the sup-
 “ port of his Majesty’s authority, and the happy
 “ constitution, is its just character : and we may
 “ appeal to the impartial world, that peace and
 “ order

“ order were better maintained in the town, be-
 “ fore it was even rumoured that his Majesty’s
 “ troops were to be quartered among us, than
 “ it has been since. Such a measure then, we
 “ are persuaded, would never have been ordered
 “ by the wisdom of the *British* Administration,
 “ had not the necessity of it been drawn from
 “ the representations of some of his Majesty’s
 “ servants in this Province.

“ We therefore, in duty to the town we have
 “ the honour to serve, respectfully wait on your
 “ Excellency, and pray, that you would be
 “ pleased to communicate to us, such repre-
 “ sentations of *facts only*, as you have judged
 “ proper to make, since the commencement of
 “ the last year: and as there is a prevailing re-
 “ port, that depositions are, and have been
 “ taken *ex parte*, to the prejudice of the town,
 “ and particular persons; may we not assure
 “ ourselves, that your Excellency will, in jus-
 “ tice, cause to be laid before us such other re-
 “ presentations, as may have come to your know-
 “ ledge; that the town, knowing clearly and
 “ precisely what has been alledged against it,
 “ may have an opportunity of vindicating it-
 “ self.”

To this the Governor replies, “ I have no
 “ reason to think, that the public transactions
 “ of this town have been misapprehended by
 “ his Majesty or his Ministers, or that their
 “ opinions thereon are founded on any other

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“ accounts,

“ accounts, than those published by the town
 “ itself. If therefore you can vindicate your-
 “ selves from such charges as may arise from
 “ your own publications, you will, in my opi-
 “ nion, have nothing farther to apprehend.

February 18,
 1769.

FRANCIS BERNARD.”

An answer so general as this, could not possibly satisfy men, who were really aiming at a discovery of the particular charges urged against them, in order that they might the more effectually vindicate their conduct.

The select men, therefore, preferred another Address to the Governor, declaring they were utterly at a loss to know which of their transactions were contrary to law, or to the *British* constitution of Government: “ And we entreat
 “ your Excellency would condescend,” say they,
 “ to point out to us, in what particular respect
 “ they either have been, or may be viewed in
 “ such a light, that either the town may be
 “ made sensible of the illegality of its proceed-
 “ ings, or that, upon the most critical examina-
 “ tion, its innocence may appear in a still clearer
 “ light.”

The Governor answers, “ I did not mean to
 “ refer to the disorders on the 18th of *March*,
 “ or of the 10th of *June*, but to the transac-
 “ tions of the Town-meetings, and the proceed-
 “ ings of the select men, in consequence there-
 “ of.”

It

It is unnecessary to dwell much on the manifest absurdity of this answer. The opinion of the King, and of his Ministers, and the quartering troops upon the town, is imputed here to incidents which happened not one month before the troops landed; that is, before the account of those proceedings could have arrived in *England*. But weak and palpable as this evasion appears, it was the only resource for concealing the real cause of those measures having been adopted against the town, which cause will be seen in his Letters since published, and which he did not then apprehend would ever be made public, to detect and convict him.

These answers were therefore evidently calculated to make the people believe, that he had wrote nothing against the town, nor made any representations which could induce his Majesty's Ministers to take this *unwarrantable* measure, of *subjecting freemen to military government*. And to make this imposition sure, he declares, that in his opinion, they have nothing to fear, if they can exculpate themselves from what happened in their *own Town-meetings, subsequent to the 11th of July*.

With what veracity and honour you acted in this business, Sir F——, I shall endeavour to shew: not in imitation of your E——y's *candid* manner, by forced comments, forged tales, dark allusions, and suspicious givings-out; but by the direct and unornamented testimony of

one, who, if his pure and perfect bosom can admit even of the prejudice of congenial friendship, may be deemed partial in your favour, the testimony of Lord H———h.

His L———p in his *secret and confidential* Letter to General G—e, dated the 8th of June, 1768, has these *elucidating* words.

“ I transmit to you Copies of a Letter from
 “ his Majesty’s Commissioners of the Revenue,
 “ of my circular Letters to the several Gover-
 “ nors of the Continent in consequence of it ;
 “ and of Governor *Bernard’s three last Letters*
 “ *to my office* ; the contents of these papers will
 “ evince to you, how necessary it is become,
 “ that such measures should be taken as will
 “ strengthen the hands of Government in the
 “ Province of *Massachusetts’s* Bay, enforce a due
 “ obedience to the laws, and protect and sup-
 “ port the civil Magistrates, and the Officers
 “ of the Crown, in the execution of their duty.”

And could you, Sir F——, bearing the sacred office of representing Majesty, the Imperial Majesty of Britain, *when conscious of having written such Letters*, thus pledge and prostitute your honour, in the public avowal of what you knew to be most fraudulent and false ? Can you still walk in the fair face of day, still bear up against the load of guilt you feel, and the accumulated shame, which innumerable detections have thus heaped upon you ? Retire, Sir F——, and hide the shame you cannot shun ; if you have yet
 one

one spark of virtue unextinguished, shew it by acknowledging,

——— *Pudet hæc opprobria nobis,
Et dici potuisse ; et non potuisse refelli !*

Learn thus to spare your friends, and disappoint your foes !

I have hitherto, tenderly I think you must acknowledge, judged your Excellency, and your noble coadjutor, in the plan of besieging *Boston*, by the friendly evidence only of each other. What I am now farther to add on this subject, is in justification of his L——p, by evincing from your own Letters, how unavoidable it was in him, to understand them, as is mentioned above.

The Grand Jury at *Boston*, after the utmost endeavours of the Chief-Justice, a creature of his Excellency, to prejudice them in the business, as appears from the Governor's own Letter, refused to find a bill against some Printers, charged with a libel against the Governor. Upon this his Excellency writes thus to the Secretary of State's Office :

“ Sensible people, who have a regard for
“ their country, are much concerned at this de-
“ fect of justice. They say, that it is a symp-
“ tom of such extreme weakness in the Govern-
“ ment, that it affords little hopes of its reco-
“ very. And indeed I do not expect the Go-
“ vernment will ever recover its authority, with-
“ out

“ out aid from superior powers. If the opposition was directed only against persons and measures, a reconciliation might and would soon take place, and all might be well again. But men and measures are only nominal defendants; the authority of the King, the supremacy of Parliament, the superiority of Government, are the real objects of the attack; and a general levelling of all the powers of Government, and reducing it into the hands of the whole people, is what is aimed at, and will, in some degree, succeed, without some external assistance.”

Was this a true representation of the conduct of the people? and had they really no reason, as your Excellency assures them, to apprehend any thing from it? Or was you so conscious of its notorious untruth, that you did not dream of a wise Minister giving it any credit? Or was it the play of a sportive imagination, amusing itself in sketching the great outlines of a picture, which you were afterwards to fill up with mobs and riots, the meditated murder of the officers, and enrollments, to levy war against the King? Could you in truth think that attempts to overthrow the King and the Government were not criminal, and that the authors of them had nothing to apprehend? Which then will you chuse, for you can have no other alternative, to confess that you have forged these most atrocious charges
against

against the people; or that the facts being true, you publicly avow them to be innocent?

Your Excellency continues the same strain in your Letter of *March* 19. “ I see such an opposition to the Commissioners, and their Officers, and such a defiance to the authority by which they are appointed, continually growing, that I can no longer excuse my informing your Lordship of the detail of facts from whence the most dangerous consequences are to be apprehended. I am just now, in the situation I was in about two years ago, sure to be made obnoxious to the madness of the people, by the testimony I am obliged to bear against it, and yet *left exposed to their resentment*, without any possible resort of protection. I am then asked, Why I do not apply for troops, as well to support the King’s Government, as to protect the persons of his Officers. His Majesty’s Ministers have within these *three years*, been fully acquainted with the defenceless state of this Government, and therefore, I trust, I shall be excused leaving it entirely to the Administration to determine upon a measure, which they are much more able to judge of, and answerable for, than I can be.”

Here your Excellency appears to have been repeating these misrepresentations for three years past, from whence you were fully satisfied the Administration were able to judge whether it was proper to send over troops; yet, when these
troops

troops are sent, you venture publicly to declare it as your opinion, “ that such a measure could “ be founded on no other accounts, than those “ published by the town itself.” And could you have applied for troops in more cogent terms, than representing your life in danger from doing your duty ? But to clear up all our doubts of what you truly expected from your informations, you say in your Letter of the 30th of *July*, 1768. “ As I have constantly sent home “ accounts of all occurrences, which could influence this question ; *I have concluded*, that “ a change of measures must originate at *West-* “ *minister*, and that the first orders for quarter- “ ing troops at *Boston*, would come from thence.” Is it not somewhat unfortunate, that your private conclusions and public declarations should so totally differ ?

You begin that Letter, Sir F——, thus : “ Since the first beginning of the troubles of “ this town, to the present time, I have frequently represented to your Lordship’s Office, “ the impracticability of my applying for troops, “ either for the support of the authority of the “ Government, or the power of the Magistracy, “ both of which have been continually insulted, “ and made contemptible for near three years “ past.” You then finish it with saying, “ Perhaps, if no great mischief is done in the mean “ time, it may be much better for the troops “ to be ordered from *England*, than to be “ brought

“ brought hither by order or requisition from
 “ any one in *America*, as they will be introduced
 “ in a manner much more authoritative.” Yet
 after all this, you innocently declare you will
 leave it to Administration to determine on sending
 troops.

I have thus fairly stated the facts relating to
 this subject, and with such tenderness to your
 Excellency, as to alledge nothing against you,
 but from your own Letters, and from that of
 your loving and confidential friend. And now,
 without any farther comment, I must leave it
 to the candid readers to determine, upon looking
 back to your public answers, what truth,
 what honour, and what virtue, govern the conduct
 of Sir F——s B——d.

JUNIUS AMERICANUS.

To Sir F——s B——d.

March 15, 1770.

YOU have complained, in your public
 defence against certain allegations of the
 Assembly of *Massachusetts's* Bay, that you have
 been called upon by anonymous writers, to answer
 those charges before the public, while you
 were endeavouring to obtain a hearing of them
 before the King in Council.

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As I believe no writer but myself has called upon you, I am obliged to conceive your complaint was aimed at me ; more especially as I am informed, you lately and publicly declared, how much you was hurt by the publications of *Junius Americanus*.

Before I proceed, let me again assure you, that I have no personal acquaintance or enmity with Sir F—— B—— ; that I have not the least knowledge or connection with his accusers, nor any partiality for them, more than what must arise from a conviction of their having been most injuriously treated. I have furnished the public with the facts on which that conviction is founded. If they are misrepresented, let me be refuted. If they are undeniable, *let the stricken deer go weep.*

But, Sir F——, I am obliged to tell you, your complaint is artful and malicious. For if it means any thing, it is to charge me with endeavouring to pre-judge a question, while it was depending for trial. Now, the last paper I wrote against you, was printed the 22d of *December*, and the preceding day only the order for bringing the allegations to trial was made, and announced the next. Nor should I even have mentioned your conduct, between that time and the trial, had not a virulent libel against your accusers, tending to prejudice men against them, recalled the question, and provoked an answer.

answer. Incidentally in that answer you and your transactions were exposed,

Neither is it true, that my charges against you were the same with those of the Assembly. Any one who will take the trouble of looking back to the *Gazetteer* of *December* 22, will be convinced they are different. With regard to the steps which were taking either by your Excellency, or the Agent for the Province, I was not then acquainted with them ; though I have since been at the trouble of informing myself on this subject very particularly : I shall lay that information now before the public, to prevent a wrong judgment upon this matter, which might be formed on certain proceedings intended for your justification.

On the 27th of *June* 1769, the Assembly of *Massachusetts's Bay*, unanimously voted a Petition to his Majesty, praying him to remove Sir F—— B—— from that Government, for repeated acts of oppression therein enumerated. This was transmitted to their Agent, who presented it to the King on the 14th of *September*. On the 15th of *July*, Governor B—— prorogued the Assembly to *January* the 10th ; coming over to *England*, presented a Petition to the King in Council, accusing the Assembly, and praying for an *immediate* hearing of the charges they had alledged against him.

Accordingly the Petition of the House was, on the 25th of *October*, referred to the conside-

ration of a Committee of Council. About the last of this month, the Agent, having waited on the Secretary of State, received *parole* information of this reference, which had not officially been intimated to him. Upon this he presented a Petition to the King, praying for due time and opportunity to support the allegations against Sir F—— B——. In answer to this, he received notice the 22d of *December*, that the Petition was ordered to a hearing on the 27th of *January*. The evident insufficiency of this interval, to transmit intelligence of the trial to *Boston*, and receive evidences from thence, made it necessary to prefer another Petition, praying for some months delay for this purpose. Instead of that, it was ordered peremptorily to be heard on the 28th of *February*. Another Petition for time, from the absolute and notorious impossibility of producing evidence at that already prescribed, was answered by a peremptory notice to attend on that day.

In the mean time news arrived from *Boston*, that, by express order from the Secretary of State, the Assembly was, before any meeting, farther prorogued to the 18th of *March*. Thus precluded from every hope of receiving instructions from his Constituents, the Agent drew up and presented a Memorial, in which he entirely, on that day, declined attempting to support the Petition; and submitted to their Lordships, whether,

whether, in their wisdom and justice, they could proceed to decide upon its merits, the Petitioners, unapprized, unheard, and, from an evident necessity, incapable of bringing whatever proofs they might have, to support the truth of the allegations they contained.

Having thus stated the facts with regard to this proceeding, the public will make the proper comment. I will only say, that a man, conscious of his innocence, would not have solicited an immediate trial, when he was certain the truth could not appear. The more fully and fairly an innocent man's conduct is examined, the more pure and perfect must be his vindication. And the impartial world will perhaps suspect, that such solicitude to suppress evidence, could not arise from any expectation, that it would be inadequate to the support of what was alledged. The Assembly, which accused their Governor, acted as a political body; their political existence depended on him whom they accused; and he manifested, no doubt, a consciousness of his innocence, by soliciting and urging, that they might be called upon to prove their charge, at a time when he knew they did not exist.

It is much insisted on, that if the Assembly had been possessed of any proofs, they would have sent them with the Petition. The cause must be surely weak, that trusts for its support to so frivolous an argument.

For

For whether they ever thought of proof being demanded, does not appear. They prayed their Sovereign to remove an oppressive Governor; and they might well trust, that their solemn testimony of the particular instances of his oppression would have been unquestioned. But if they conjectured their allegations would be ordered to a judicial hearing, they must have expected the common, notorious, and invariable course of justice. And this is, to allow due time for such evidence to be produced, as may be necessary on either side. This is so usual, and so manifestly requisite even to the appearance of administering justice, that it was impossible they could apprehend it would be denied to them. They hardly expected an impartial Court would have demanded of them an impossibility; and, in the face of that, proceed to their condemnation. Such an apprehension would have been contrary to the first principles of justice, and to the constant tenor of judicial proceedings.

When the House of Commons carry up to the Lords an impeachment against any of their members, do they accompany it with their witnesses? Or were a motion immediately to be made and carried, that they should prove their allegations on the spot, or have them dismissed with censure, what would the world think of their Lordships justice, or of the innocence of the impeached? The *Middlesex* Petition will furnish us a case directly in point. It laid before

fore the King various articles of charge against the first Ministers of the kingdom. Suppose the Gentlemen who presented the Petition, had been commanded peremptorily to make good this charge in an hour's time, and in default of that it had been declared an infamous libel, what opinion would men have formed of the justice of the K——, or of the innocence of his Ministers? And can it be in any man's apprehension a less mockery of justice, to demand witnesses to be collected and transported from *Boston* thither, in seventeen, or in seven and forty days, than from *Middlesex* in one hour?

But it is said, the honour of Sir F—— was suffering under this impeachment. God forgive us, when we touch a part *already galled indeed*. He has made his honour so tender, that it will not bear the touch; but shrinks, like the sensitive plant, from the very approach of examination. Yet is not the character of every accused or impeached person equally under the sufferance of imputation, as was that of Sir F—— B——? Were the Lords, whom the *Middlesex* Petition accused, less tender of their honour, or less conscious of their innocence?

If this hasty, I will not say unjust, proceeding of G——r B——, be intended to justify him in the opinion of the public, he is greatly mistaken. The people of *England* abhor injustice. And the truth stands like a primeval
rock

rock in the ocean, against which the waves may beat, but which they can never overthrow.

Of one thing I will venture to assure his Excellency, that whenever his conduct comes to be judicially examined, he will find *more deliberation*, and a *different issue*.

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

January 3, 1770.

IT has always been my opinion, that the People of *England*, (however they might at first, under the influence of passion or misapprehension, condemn the generous efforts of the Colonists in the vindication of their liberties) when rightly informed, would encourage and applaud them. The present disposition of the public, fully justifies these sentiments; a disposition, candidly open to the just complaints of *America*, for the violation of her constitutional rights, and in spite of all the sophistry and falshood of industriously wicked men, the people now wish to see them redressed.

Many are the lesser grievances which *America* feels andresents; but the grand one, that on which the rest are grafted, is *the violated right of representation*. A former House of Commons
voted,

voted, That it might be right and expedient to give and grant the money of the Colonists in a representative body, where all the Freeholders of *America* had not a single Representative. That is, they voted it proper to deprive the Colonists of their right of Representation, on which all other rights essentially depend. The present ——— has voted, that the person chosen by a majority of the Freeholders of the County of *Middlesex*, was not their Representative, and that he whom a majority refused, was duly elected. That is to say, the Freeholders have no right to choose a Representative, though on the free choice of him their liberties are absolutely founded. We complain with earnestness and strict propriety, that we are unjustly and arbitrarily deprived of one Representative: the people of *America* (surely with equal reason) complain, that they are deprived of all their Representatives. We are justly alarmed at so flagrant a violation of our dearest rights; they are filled with astonishment, and glow with indignation, while they see and feel the total loss of every right as Englishmen, and freemen. Can any one avoid discerning at once, how nearly similar the original grievances of *America* are to those of this country. The difference lies only in degree. The Ministry have adopted, and already executed in one county here, Mr G—le's, or rather my Lord *Bute's* plan for enslaving *America*. It were, indeed, the last degree of

folly to suppose, that if arbitrary rule was once suffered to establish itself in *America*, it would not speedily traverse the ocean, and finally fix itself in *England*. How short the time which has intervened, between the voting away in the — of —, the Liberties of *America* and of *Great Britain*! So dangerous it is to admit slavish practices into any part of the dominions; or to suffer, in any instance, the vital principles of the constitution to be violated. *Grafton* and *Grenville*, are, indeed, the apparent contrivers of those schemes; and the difference of the men, may seem to stamp a difference on the measures; but it is certain they were both under the detested influence of the Thane; and that the attempts to abolish the constitutional right of Representation in this country and in *America*, sprung equally from the arbitrary St—t. He has set upon it his pernicious *seal*, and the impression is a *rod of iron*, for the scourge of Freemen. Without this malignant influence, the daring genius of a G——n; the plodding ignorance of a G——lle; and the immoveable dulness of a Hill——gh, would have been equally impotent. The complaints of an injured people would have been graciously received at the foot of the T—e; and those who have deceived their Sovereign, and abused his subjects, would, ere this, have been brought to condign punishment. It is of the utmost importance to our mutual welfare, that this circumstance

cumstance should be duly weighed. The meditated subversion of Liberty in both countries, springing from the same source, should knit *America* and *England* firmly in opposition. Our utmost, united efforts are necessary to stem the torrent of arbitrary power, that threatens now to bear down Liberty and all her rights before it.

America, I can pledge myself for her, will unite with this country to the last effort of determined opposition. No people ever harmonized more in the truest sentiments of loyalty to the *Brunswick* line, as the elected guardians of our sacred constitution, founded in the noble principles of *Magna Charta* and the Revolution. Yet it is not to name, but to *principles* they are attached; *principles*, which they will never suffer any King to violate with impunity. I am therefore earnest in recommending to the free people of this country to cultivate the friendship of the *Americans*, who are pursuing the same sacred cause of freedom, with the same virtuous determination to succeed, or to perish in the attempt. The cause is common, let us be united in its support; the Liberties of both countries are embarked in the same bottom; the same storm that sinks the one, will overwhelm the other. No matter whether our grievances arise from former Acts of Parliament, or a present — of —, when the united voice of *England* and *America*, proclaims them

to be unconstitutional and intolerable. A voice, impudently stiled by the Tools of despotism, *faction* here, and *treason* there. Those writers would endeavour to persuade us, that all opposition to the *Butean* system of oppression, proceeds from disaffection to an upright Government here, and, in *America*, from disobedience to the just legislative authority of *Great Britain*. But when the conduct of G——t here shall have been uniformly such, as to alarm the most unthinking, and incense the most moderate ; when a House of —— shall have violated, towards *America*, those very principles on which its own existence depends, the principles of Liberty and of the Constitution ; disaffection in the people will be virtue ; disobedience will be their duty. A higher power than K—g or P——t may sometimes claim this virtue, and this duty ; the God of Heaven, who, when he gave us the rights of humanity, made it Impiety to surrender them to any earthly Being. It is not in nature but that causes must produce their effects : whoever would find the cause of these disturbances, through the whole dominion, must look for them in the cabinet of Lord B—e ; and to him must the consequences, however great and ruinous, be imputed. Impressed with the just idea of the subject, the public will regard, with equal contempt, the laboured sophistry of an impudently pretended Review of the *American* Controversy, and the News-paper bable of an
Old

Old Mentor. Whether they are the virtuous lucubrations of a coxcomb Deputy to a pedantic Secretary of State; or of an envenomed *retailer* of *German* Considerations, from a Blanket-Warehouse; or of a cankered junto of discarded *American* Agents. To enter into a formal refutation of them, would be to offer an affront to the common sense of men, who cannot be misled by such despicable sophistry; and might disturb, too much, the repose to which oblivion and contempt has consigned their productions. Let us, in the mean time, never forget this important truth; *that division will endanger our dearest rights, and aid the views of those who meditate the absolute subversion of our sacred constitution; but that the People of England, and of America, united in their efforts, will vindicate their Liberties from every attempt of a despotic Stuart, and maintain them inviolate to the latest posterity.*

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

January 24, 1770.

THE general discontent, prevailing at this time in all our Colonies, demands both the utmost attention, to the causes that have produced it, and some effectual means of removing

moving them. When a whole people are alarmed and aggrieved, temporizing is ineffectual folly ; their fears must be composed, their confidence conciliated, their wishes fully met, their demands granted. *The redress must be ample as the grievance.* To offer them less, is to suffer the shame of a refusal, and give them the pain of appearing contumacious, when they are only consistent. The demands of a free people are never to be trifled with ; especially while they do not exceed those just rights, which it were equal impiety and imprudence to violate.

A manifest and universal determination prevails in all our Colonies, not to submit to the having their money given in any other manner than constitutionally, by their own Representatives. What will be the full consequences of combating this determination, may be judged from those already produced. Consequences too obvious not to be foreseen, too fatal not to be dreaded. To urge this pursuit of a barren revenue, and which, being in its principles subversive of what the whole people deem their dearest rights, must always continue unprofitable, if it be not unjust, is surely impolitic. We are to sacrifice, without any prospect of an equivalent, the certain commercial benefits we should otherwise enjoy with our Colonies ; and alienate from us effectually their confidence and affection for ever. And surely, if by the issue we may judge of measures, evil policy never set its seal with

with a stronger hand, than on the late system for raising a revenue in *America*. With this view, so many laws and regulations have been, of late years, accumulated on each other, that much is to be done to eradicate the evil, and prevent its creating further disturbance to the peace of the Colonies, and injury to the commerce of *Great Britain*.

The first grievance of which they complain, is the having their property granted to the Crown, in an Assembly wherein they are not represented; contrary to the most antient and most important principles of constitutional liberty.

In the year 1763, it was first declared both just and necessary, that a revenue should be raised in *America*; and accordingly the House of Commons, representing the people of *Great Britain*, proceeded to give and grant to his Majesty the property of his *American* subjects. Hitherto the *Americans* had been used to have their trade and commerce, that is, the means of acquiring money, regulated to the interest of *Britain*, by a *British* Parliament. But of their property so acquired, their own Representative only could dispose. Here the line was drawn between the superintending sovereignty of the parent state, and the constitutional liberty of her Colonies. Unhappily it was now determined to pass this line, which, like *Cæsar's* passing the *Rubicon*, threatened the absolute subversion of freedom. The property
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of the Colonists, however hardly and sparingly acquired, under a multitude of parliamentary restrictions, was to be no longer in their own gift, but in the disposal of a Power unconnected with them, unlimited, uncontrollable, unamenable to them. This was an innovation truly alarming, as it struck at the very root of representation; which, to use the words of a late writer on the *Middlesex* election, “ is that great right, on the preservation of which the people must depend for the continuance of their freedom, and the security of their property.”

With regard to the justice of it, I have but one question to ask; that is, Whether the Freeholders of *Great Britain* would think it just, that any man, or any body of men, except the Representative chosen by themselves, should dispose of their property? The consideration of this, will bring home to every man's breast, the feelings of the people of *America* at the invasion of a right, of the value of which they are as sensible and tenacious, as becomes the posterity of *Britons*.

What are the sentiments of this nation, touching the sacredness of the right of representation, may be collected from the general indignation excited by the single instance of its violation in the *Middlesex* election. And if the people here are so disturbed by an attempt to divest a single county, in one instance, of this invaluable franchise,

chise, think what must be the feelings of the *Americans*, from an actual and formal disfranchisement of their whole body.

In principle, this dispute is essentially the same with that which subsisted in the last Century, between the people of this Country and *Charles the First*. The advocates for the Crown exhausted every argument that could be devised, in support of a claim so fundamentally unconstitutional. And indeed the reasonings of Lord *Bute*, Mr *Grenville*, and their Partizans against *America*, are the babblings of children, compared with those of that time. Yet the common sense of right outweighed in the minds of men the utmost force of logical sophistry, and eluded every subtlety and refinement of artful declamation. The claim, however, was urged; and history is rendered illustrious by the issue; an issue to which we should devoutly pray, the just Arbiter of things may ever bring such perilous disputes. If it be asked, Why the people were so averse to this power in the Crown? it must be answered, Because the King was independent of them, unconnected with them, save in a political relation, not participant in the burden, but profited by the exorbitancy of taxes. The same reasons precisely govern the *Americans*, in not acquiescing under the having their property given and granted by a *British* House of Commons. Nor can I better express the present sense of *America*, than by the senti-

ments which Lord *Clarendon* delivers, as those of our ancestors in the case of ship-money :
 “ When they found it,” says he, “ demanded
 “ as a right, and upon such grounds as every
 “ one felt were not constitutional, and so lost
 “ the pleasure and honour of being kind and
 “ dutiful to the King ; and instead of giving,
 “ were required to pay, and by a logic which
 “ left no man any thing he could call his own,
 “ they regarded it as an universal grievance,
 “ and an imposition, to which they thought
 “ themselves bound, in conscience and in justice to themselves and to their posterity, not
 “ to submit.”

The same causes will invariably produce the same effects ; and as these were then the general sentiments of *England*, so they are now universally those of *America*. The King and the House of Commons may differ in name, but unlimited power makes them in effect the same, except that it is infinitely more to be dreaded in *many* than in *one*. If they be equally unconnected with, and independent of those whose property they are to grant, without doubt they may be equally, if not more tyrannical. But the King can never be more independent of, or more unconnected with the people of *England*, than the *British* House of Commons is with all *America*.

What is the source of confidence in the Legislature, but that the people constitute one part
 of

of it, which participates with them in the laws it makes, and the taxes it imposes? Destitute of this foundation, it can never reasonably expect the confidence of *America*; especially as that confidence is constitutionally reposed in its own Representatives. But without the confidence of the people, the Government must be tyrannical, or cease to exist.

The Non-electors of *Great Britain* are virtually secure, in having their property granted by the House of Commons; because both the members of that House, and their constituents, share in the burden of the grant. This dispenses liberty and security to every individual; and from thence arises that universal confidence, which is essentially necessary to the subsistence of a free Government. But, on the contrary, the whole people of *America* are virtually insecure; because there is not only no participation with them by the givers or their constituents, but an absolute saving to both; which, as it furnishes a temptation to exorbitant demands, must hang over the *Americans* like a baleful meteor, perpetually threatening the destruction of their property.

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND,

January 25, 1770.

I Have shewn in a former letter, how far the exercise of this newly asserted right of taxing *America* against her consent, is consistent with justice or expediency. But we are farther told, it is necessary. It is said to be necessary for defending and protecting the Colonies. During the late war what money they had to give, was granted, for these purposes, constitutionally, by their own representative Assemblies; and it is matter of no small astonishment and concern to them, that the same care of themselves cannot be trusted with them during peace. Then, if ever, there was a necessity for the intervention of this dictatorial power; but, under an able and honest Minister, the war was happily conducted without it. Indeed the very supposition, that a community will not provide for its own protection and defence, is so absurd as hardly to deserve a serious answer. But we find the same plea urged in support of the King's right to tax his subjects of *England* in the last century; and the same reply to it will suffice for *America*, that was then made by those who espoused the cause of Liberty. " It has been said, that tonnage and poundage is not now granted to the King, " and

“ and therefore, the King is forced to these ex-
 “ traordinary courses; though it be not *granted*,
 “ yet I think it is *taken*; and I doubt not to
 “ the same intent for which it was granted, the
 “ defence of the kingdom and guard of the seas.
 “ It is objected, that perhaps the Parliament
 “ would not have consented, and so the king-
 “ dom might have been lost. It is not to be
 “ presumed, that the Parliament would deny to
 “ do that which is fit for the safety and defence
 “ of the kingdom, their own estates and lives
 “ being in danger.” Such was the argument
 of a patriotic Judge in Mr *Hampden’s* memo-
 rable cause: And most surely it is not to be
 questioned, without the utmost absurdity, that
 the Representative of the people, chosen for the
 purpose, will more effectually provide for that
 defence, on which their own estates and lives
 immediately depend, than a body remotely con-
 nected with *America*, and not directly interested
 in its fate. Poor must be the claim which such
 arguments can only be found to support; and
 it would seem, that this new conduct towards
 our Colonies, is just as little warranted by neces-
 sity as by justice.

Let us next consider how far it is calculated
 to secure the dependence of the Colonies on the
 Crown and Parliament of *Great Britain*. An
 uninterrupted course of loyalty, unimpeached
 from their foundation to this day, except in the
 amiable imagination of the illustrious Governor
Bernard,

Bernard, required surely no further security. The very mention of it was an unmerited reproach of an eminently loyal people. And if, to alienate universally the affections and confidence of the *Americans*; if to unite them amazingly in one determined complaint against the Legislature of this country, be to secure their dependence on the Parliament; then has this system of taxation most effectually answered the purpose; for we hear one end of the Continent re-echo the complaints of the other; and we have seen a single measure effect that union in a moment, which from the different circumstances of our Colonies, appeared to be the arduous work of an age.

But they to whom these commotions may seem to ominate the reverse of securing the dependence of our Colonies, will think it but common prudence to desist from a measure, which, had it been indeed wisely and well intentioned, is unhappily productive of the very evil we would shun. We may otherwise, perhaps, experience with what truth my Lord *Clarendon* has observed, that “ Men pay too dear for their
 “ want of providence; and find too late, that
 “ the *neglect of justice* is an infallible undermining,
 “ how undiscerned soever, of that *security* which
 “ their *policy* would raise for themselves, in the
 “ place of that which *wisdom and justice* had provided for them.”

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We have thus seen how little this system is grounded either in necessity, justice or wisdom. And, indeed, how should it be so, planned as it was by my Lord *Bute*, as a part of that great scheme for enslaving the whole dominion, and adopted by Mr G——le, for the favourite purposes of corruption, by augmenting the already ruinous number of places in the gift of the Crown? The arbitrary Thane found one destitute enough both of wisdom and justice, to execute that which one or both of these principles had withheld all former Ministers from attempting.

As a friend to constitutional Liberty, I rejoice that the firmness of *America* has frustrated the measure, because I am sure it was founded on principles subversive of freedom; and that the establishment of despotism in any one part of the dominion, must endanger the rights of the whole empire. *America*, viewed in its true light, is a nursery for *British* Liberty, which it is our interest to preserve inviolable. There, when foreign or domestic force, which must one day happen, shall have triumphed here over the noble struggles of freedom, the desperate survivors may find their liberties and laws preserved from ruin. There the *British* constitution may rise anew, like a Phoenix from her parental ashes, to glory, strength, and happiness.

The next grievance is as astonishing as it is oppressive. It is no less than *the introduction of*
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the odious and arbitrary powers of Excise into the Customs of America. After the full discussion of this matter in Sir *Robert Walpole's* time, the demonstration of its pernicious tendency, and the general indignation which his attempting to establish those powers, excited here, it is a little wonderful, not that the northern politician should attempt it in *America*, but that any House of Commons should assent to a law, which they knew would bring every fellow-subject in the Colonies, under the arbitrary dominion of the meanest servant in the Customs. I wish, indeed, it were the only proof how little tenderness there was in the late House of Commons, for the dearest rights of those with whom they had no connection, on whom they had no dependence. Neither they themselves, nor their constituents, were to share in the hardships of those laws, which laid open every man's house in *America* to a General Warrant, and left his property at the mercy of every infamous informer, and of a party Judge. But, *sunt lacrymæ rerum et mentem mortalia tangunt*; and the people of *England*, at large, will not hear unfeelingly, as their former Representative, the calamities to which their fellow-subjects in *America* are exposed, by the violation of their most essential rights.

In the 5th year of *Geo. III.* it was enacted,
 “ That the forfeitures and penalties inflicted by this, or any other act or acts of Parliament, relating to the Trade and Revenues of the said
British

British Colonies or Plantations in America, which shall be incurred there, shall and may be prosecuted, sued for, and recovered in any Court of Record, or in any Court of Admiralty in the said Colonies or Plantations where such offence shall be committed, or in any Court of *Vice-Admiralty*, which may or shall be appointed over all *America*, at the direction of the *informer* or *prosecutor*."

Before we proceed farther, it is necessary to inform the reader, that in this Vice-Admiralty Court, a *King's Judge*, holding his place during *pleasure*, and receiving his salary out of the money arising from the condemnations in his Court, *determines all causes*, between the Crown and the subject, *without a jury*.

It being thus put in the power of the informer to have the cause brought into this Court, it could hardly be apprehended that he would neglect commencing the prosecution, where he was sure of partiality, if not of injustice in his favour. But to guard against a possibility of the subject's escaping this tremendous Court, another Act of the 8th of *Geo. III.* gives the right of appeal, from the Admiralty, to the Vice-Admiralty Courts in their respective jurisdiction. Nor does the tenderness and attention to informers end here; but, that the unhappy *American* subject may be harrassed without hope of redress, it is provided, by the 46th clause of the former Act, "That if judgment be given in favour of the
M subject,

subject, and it shall appear to the Judge, that there was a probable cause of seizure, the subject shall not be entitled to any costs of suit whatsoever; nor shall the person, who seized the ship or goods, be liable to any action or prosecution on account of such seizure."

Here let us stop and consider the situation of the *American* subject under these laws. He is exposed to the malevolence of informers, who are tempted to injure him by interest and absolute security; the sacred trial by Jury is wrested from him; his property seized for the King, and claimed by him, is to be ascertained by a party Judge, almost bribed to do him injustice. In all this we may surely see, that neither his peace nor his property were consulted when these laws passed; yet they were as much consulted as he can reasonably expect they ever will be, where he has neither representative, connection, nor influence.

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

January 31, 1770.

ONE would have imagined, that the measure of *American* oppression was now full, and that even tyranny itself could hardly have wished

wished to render property more insecure, or the subject more miserable, than by *encouraging and protecting Informers, and establishing a partial Court, wherein, divested of his rights of trial by Jury, he could never hope for justice.* But as long as any forms of law in favour of the people, obstructed the Officers of Revenue in entering where they chose, and seizing what they pleased, all the rights of men and of *British* subjects could not be wantonly trampled upon by these kind of men, who are ever ready to be the infamous Tools of arbitrary power. These bars, however, were soon removed. An Act of Parliament enabled his M—y to appoint Commissioners of Customs in *America*, with such powers as he should think necessary for collecting the Revenue. Had such unlimited power been vested in his M——y for this country, the using it to the oppression of the subject would have been restrained, or might have been punished by impeachments in Parliament, excited by the complaints of the Constituents to their Representative. But to what Representative shall the people of *America* complain, when they feel the pressure of this iron rod? Their Assemblies have no power over the Officers or Ministers of the Crown; and with the Parliament here, they have neither interest nor power. I mention this only to suggest to the people of *England*, how additionally grievous this treatment of their fellow-subjects in *America* is, from its being in its nature without any hope of a consti-

tutional redress. And they will then see, that the redressing measure, at present adopted by the *Americans*, of desisting from the importation of *British* manufactures, is not prompted by disaffection, either to the Crown or people of this country, nor by a contumacious spirit; but by absolute necessity, as the only probable means, next to an appeal to Heaven, of obtaining a redress of grievances that are not to be born.

In consequence of the power vested in the Crown, a commission issued for the collection of the Customs in *America*, which may challenge the most arbitrary times of this country for any thing similar to it. The reader will judge what liberty or security could remain to the subject, who should tamely submit to the following powers.

“ We have further given and granted, and
 “ by these presents do give and grant unto you
 “ our said Commissioners, or any three or more
 “ of you, and to all and every the Collectors,
 “ Deputy-Collectors, *Ministers, Servants, and other*
 “ *Officers, serving and attending*, in all and every
 “ the ports or other places, within the limits of
 “ this your commission aforesaid, full power
 “ and authority from time to time, and as often
 “ as need shall require, *to administer on oath, or*
 “ *oaths, to any person or persons*, for and concern-
 “ ing the customs and other duties herein men-
 “ tioned, which by the laws and statutes relat-
 “ ing

"ing to the said Revenues, or any usage or
 "practice for the better collecting and manag-
 "ing thereof in such cases, can or may be law-
 "fully administered. And moreover, from time
 "to time, at *your or their, or any of your or their*
 "*wills and pleasures*, to enter and go on board
 "any ship, boat, or other vessel, riding, lying,
 "or being within, and coming into any port,
 "harbour, creek, or haven, within the limits
 "of this your commission afore said, and such
 "ship, boat, or vessel, then and there found, to
 "search and survey, and the persons therein
 "being, strictly to examine, touching and con-
 "cerning the premises; and also in the day-time
 "to enter and go into any warehouse, shop,
 "cellar, and other place, where any goods,
 "wares, or merchandizes lie concealed, or are
 "suspected to lie concealed; whereof the cus-
 "toms, or other duties, have not been paid,
 " &c. and the said house, warehouse, shop, cellar,
 "and other place, to search and survey, and all
 "and every the trunks, chests, boxes and packs,
 "then and there found to break open, and to all
 "and every other the matters and things which
 "shall be found necessary for our service in such
 "cases, and agreeable to the laws and statutes re-
 "lating to the said Revenue."

Now, lest the mention of laws and statutes
 should seem to limit these despotic powers, it is
 necessary to inform the reader, that there is not
 one law or statute, relative to *American Reve-*
nue,

we, which favours or guards the subject. He can have no hope of redress, but from the common law; and that this is not deemed a sufficient safeguard, appears from this, that Parliament has provided a particular statute to protect the subject here, making a special warrant on oath necessary to enable an officer to enter a house for seizure of unaccustomed goods. But in *America*, this commission operating as a General Warrant, lays open every house, and whatever it contains, to the will and pleasure of the meanest servant in the Customs.

Bad as this is, its arbitrary colouring is still heightened, by making the Courts and all civil Officers subservient to their purposes, as is done in the following part of the same commission.

“ And we do hereby strictly command and
 “ charge all and singular our Officers and Mi-
 “ nisters, who now have, or hereafter shall have
 “ any office, power, or authority derived from
 “ or under our High-Admiral, or Commissioners
 “ for executing the office of our High-Admiral
 “ for the time being, as also all and every our
 “ Vice-Admirals, and Justices of the Peace,
 “ Mayors, Sheriffs, Constables, Bailiffs, Head-
 “ boroughs, and all other our officers and sub-
 “ jects whatsoever, that they and every of them;
 “ be unto you and every of you, and all and
 “ every your deputies, collectors, servants, mi-
 “ nisters, and other officers, aiding and assisting
 “ in the execution of the premises, and *obedient*

“ to

“*To your orders and directions, as becometh, under pain of our high displeasure, and the utmost perils that may fall thereon.*”

One cannot help again remarking here an arbitrary step, outstretching surely any authority, that ever yet was exercised in the *British* dominions. It is making the whole civil power absolutely subservient to the meanest officer in the Customs, by enjoining complete obedience to their orders and directions.

The just indignation, which the very contemplation of such outrageous powers excited in the people, have prevented the officers from daring to attempt the violences with which they are empowered by this commission. But let us suppose the people to have been *conformable to the ideas of Governor Bernard, and the Commissioners*, submissive to this good government; we might then have seen an insolent, though low, Officer of Customs, entering the first man's house in the Colony, ordering the Judge-Admiral, Justices, &c. to break open doors, chests, trunks, &c. and commit whatever outrage his brutal temper might suggest. Yet this would be all under the authority of a government, which these amiable men would persuade the people is for their good, necessary for the preservation of order, and perfectly consistent with the rights of freemen.

Thus grieved, injured, and insulted, the *Americans* have appealed to reason by remonstrances, and

and implored mercy by petitions, in vain. The fire of oppression was scarce extinguished by the ashes of the Stamp-Act, before it was kindled anew by another Revenue-Act, with its despotic train of Admiralty Courts, and Commissioners of Customs. It is against this oppression, that *America* is now combined in opposition; not against the just authority of Parliament, which they revere, nor against the prosperity of *Great Britain*, to which they have the most cordial attachment.

It is true, the *Americans* have, in the course of this dispute, acted often with a degree of violence and warmth, which may appear unwarrantable to those who have not considered the grievances which gave their passions birth. As every means have been used, it would seem intentionally, to irritate and inflame them; my greatest wonder is, that the flame has not burst forth with more destructive fury. The true reason of it is, that an habitual loyalty to the Crown, reverence for Parliament, and affection for *England*, with which they have been constantly impressed, are not easily removed. Hitherto they have vented their passion chiefly in words, and my Lord *Clarendon* well observes, that “ Modesty and moderation in words, never was and never will be observed in popular councils, whose foundation is liberty of speech.” Let us beware how we turn this tide of their good affections, lest it should bear

bear down law and order before it ; and produce consequences at which wisdom and humanity must shudder.

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

February 3, 1770.

IT has been shewn in the Addresses with which I have troubled the public, that the whole system of Revenue in *America* is completely arbitrary ; and if so, I need not say it is unconstitutional. Words and declarations can never alter the essential nature of truth, nor make that consistent with a free constitution, which, in its principle, is clearly and uncontrovertably despotic.

We have seen the property of the *Americans* granted away without the consent of the people, or of their representative, which, Mr *Locke* will inform us, is manifestly and fundamentally unconstitutional ; we have seen new Courts established with powers, not only incompatible with *British* Liberty, but with every principle of justice ; and we have seen a commission dispensing absolute authority, and subjecting all *America*, and the civil power, to the will and pleasure of five Commissioners and their menial servants.

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The state of the subject then in *America*, under those laws, is this : he is to be tried without Jury, his house is to be entered, and his locks forced, without oath or warrant ; his ship and goods may be seized, and if ever so unjustly or injuriously, he is precluded from an action of redress or damages.

This establishment will appear in its true light, by contrasting it with the provision made by statute-law, additional to that which the common-law would administer, for the security of the subject in *England*. By 12 *Charles II.* ch. 19. it is enacted, “ That if any person or persons shall
 “ cause to be landed or conveyed away any customable goods, without due entry and payment of the Customs, then and in such case,
 “ upon oath thereof made, before the Lord Treasurer, or any of the Barons of the Exchequer,
 “ or chief Magistrate of the port or place where
 “ the offence shall be committed, or the place
 “ next adjoining thereto, it shall be lawful to
 “ and for the Lord Treasurer, &c. to issue out
 “ a warrant to any person or persons, enabling
 “ him or them, with the assistance of a Sheriff,
 “ Justice of Peace, or Constable, to enter into any
 “ house in the day-time, where such goods are
 “ suspected to be concealed.—Provided always,
 “ that no house shall be entered by virtue of
 “ this Act, unless it be in the space of *one month*
 “ after the offence so supposed to be committed.
 “ —Provided also, that if the information, where-
 “ upon

“ upon any house shall come to be searched,
 “ shall prove to be false, that then and in such
 “ case, the party injured, shall *recover his full*
 “ *damages and costs*, against the informer, by
 “ action of trespass, to be therefore brought
 “ against such informer.”

This contrast requires no comment; I will therefore proceed to observe, that the establishment of Vice-Admiralty Courts, now made in *America*, is precisely such a grievance as was formerly complained of and redressed in this country, as will appear from the 13th of *Richard II. c. 5.*
 “ Forasmuch as a great and common clamour and
 “ complaint hath been oftentimes made before
 “ this time, and yet is, for that the Admirals
 “ and their deputies hold their sessions within
 “ divers places of this realm, as well within
 “ franchise, *as without*, accroaching to them
 “ greater authority than belongeth to their office, in prejudice of our Lord the King, and
 “ the *common law of the realm*, and in diminishing of divers franchises, and in the destruction
 “ and impoverishing the common people; it is
 “ accorded and assented, that the Admirals and
 “ their deputies; shall not meddle from henceforth of any thing done *within the realm*, but
 “ only of a thing *done upon the sea.*”

Let me here ask, What plea will excuse the revival of a jurisdiction so formally condemned as oppressive and illegal? But there are yet two circumstances, which render those Courts infi-

nitely more oppressive than I have hitherto represented them. For eighteen Colonies there are, I think, four Vice-Admiralty Courts appointed. It must therefore happen, that a man may be dragged out of his own Colony, into another, to answer an information or libel; and however unjust and malicious it may be, he can have no reparation for his trouble, vexation, and expence. Unless it may be expected that a Judge, whose interest is to encourage informers, will discourage and expose them to punishment, by not certifying a probable cause of seizure: an expectation so frail, that it hardly furnishes a shadow of hope. The other circumstance is, that these Courts may come to have jurisdiction in private property, in fact, not relating to trade. An Act of Trade, 2 *Geo.* II. ch. 35, enacts, “ That no person shall fell or destroy any White Pine-trees, except only such as are the property of private persons: other pine-trees, of a certain size, being appropriated to the Crown, for the use of the navy.” By the Act 5 *Geo.* III. ch. 15. “ All the forfeitures and penalties inflicted by this, or any Act or Acts of Parliament relating to the Trade and Revenues of the said *British* Colonies and Plantations in *America*, which shall be incurred there, shall and may be prosecuted, sued for, and recovered in any Court of Vice-Admiralty, which may or shall be appointed over all *America*.” From the tenor of these two Acts, it may happen,

pen, that an information laid against a man for cutting a white pine-tree, though, in fact, in his own land, will bring it to a determination before the Judge-Admiral, and make him arbiter of the subject's property of this particular description ; which, how subversive it is of the common law of the realm, requires no explanation.

The next *American* grievance, to which I shall beg the attention of the people of *England*, is a late attempt to establish a form of bringing over the *American* subject, charged with treason, or misprision of treason, for trial in *England*.

The authority on which this attempt is founded, and the hardships that would attend an *American* subjected to it, conspire to give it the strongest features of cruelty and oppression. An Act of *Henry* the VIIIth, made before the Colonies were in being, and never applied to them since their existence, is now declared to be legal authority for bringing over the Colonist from his friends, from the Jury of the vicinage, and from all legal power of proving his innocence, to be tried among strangers, for a crime to which the law annexes the highest punishment. For all treasons, the law of the Land is most explicit in defining the crime, and secures to the accused the fullest and fairest trial. Now, instead of this, the *American*, under this new mode of trial, needs only to be accused, that he may be condemned. For no Court here, having, by law,
any

any power to issue a precept for bringing witnesses from, or taking affidavits in, *America*, the accused is thereby incapacitated to disprove the charge. The Jury of vicinage, so sacred in the law, is studiously taken from him, and he is to stand among strangers, prejudiced against him, perhaps by ministerial management, to prove his innocence without witnesses, and withstand, without friends, the whole influence and art of government. For it must be observed, that nothing but a determined spirit to oppress and destroy the man by any means whom the laws protected from their unjust efforts, could ever prompt government to innovate on the established mode of trial. And it is a curious part of the private history of this proceeding, that a *North-British* Lord drew forth this rusty iron rod, for the unjust affliction of *America*, which the honour and justice of *England*, would not exercise over his rebellious countrymen. In the rebellion, a special and temporary Act was passed for the trial of the *Scots* rebels; so little did Parliament think that the Act of *Henry* the VIIIth was sufficient authority for this purpose; or so little were they inclined to set up a constant engine of oppression, as is done with regard to *America*, even against a people so manifestly and deeply tainted with rebellious and unconstitutional principles. But the leopard changeth not his spots, nor the mind of a *North-British* Lord his tyrannical temper. It has been solemnly adjudged in the Courts of

Westminister,

Westminster, That no Act of Parliament, in which the Colonies are not expressly mentioned, does extend to them; and how much less should an Act made before they existed? The Ministry have, indeed, supported the spirit of this Act, which was tyrannical, though, in one respect, favourable to the subject; for *Henry* was a Prince remarkable for being a tyrant under the appearance of Parliamentary authority, and his reign furnishes a very useful Lesson for every *Englishman*; which he ought to study, that he may the better judge when the same views of government prevail at Court. But, under this new mode of trial, should the poor *American* escape death, by his innocence appearing in despite of all these disadvantages, he could not hope to avoid ruin. For *American* estates in general would not bear the expence, which would attend a trial carried on three thousand miles from his residence. So that were this authority once established over *America*, it would be in the power of every Governor and of every Minister, to devote whom they pleased to destruction, or to ruin. For the Minister or Governor is in the place of a Grand Jury; and a Jury of strangers in that of the vicinage. How abhorrent this is, from every principle of humanity, of justice, of constitutional liberty and law, I must leave to the feelings of every honest bosom.

Under the sense of the grievances I have already enumerated, an *American* would naturally complain

complain in the very words which our ancestors used, under *Charles* the First. “ It is not,” said they, “ that Ship-money hath been levied upon us, but it is that thereby Ship-money is claimed, which is the gift and earnest-penny of all we have : it is not that our persons have been imprisoned, for the payment of Ship-money, but that our persons and lives are, upon the same ground of law, delivered up to *will and pleasure*. It is that our birth-right is destroyed, and that there hath been an endeavour to reduce us to a lower state than villainage. The Lord might tax his villain *de haut et de basse*, might imprison him, but his life was his own ; *the law secured him that.*”

It is impossible here to avoid observing, how exactly similar the arbitrary disposition of a *Stuart* of the last century is, to one of this. For, as I have already declared, I assert again, that these grievances flow from the counsels of a *Stuart* ; and are a part of the great system formed for enslaving the whole dominion by the favourite Thane.

I shall close the enumeration of *American* grievances, with one which, like giving and granting the money of the Colonies, strikes at the very root of representation. This is the Act of the 7th of *Geo. III.* ch. 59, to suspend the *legislative power of the Assembly of New York, for not raising money on the people to supply the troops, agree-*
able

able to an Act of Parliament. If any power on earth is to command the Representative of the people, when, and in what sums to levy mone yon the subject, how are they free? Or what is such a Representative more than an instrument for executing the arbitrary will of others? For “a Parliament” (as *Pym* justly observed on a similar occasion) “without Parliamentary liberties, are but a fair and plausible way into bondage.” Whether such a proceeding be constitutional or justly to be complained of, on the part of *America*, will be seen from the Journals of Parliament, where the Commons of *England*, in their own case, assert their privilege against *James I.* in these words: “We hold it an antient, general and undoubted right of Parliament, to debate freely of all matters which do properly concern the subject and his right of estate; which freedom of debate once foreclosed, the essence of the liberty of Parliament is withal dissolved*.”

It is obvious to common sense, that the same freedom of debate is essential to the liberty of every *American Assembly*, as to the House of Parliament; and that the invasion of it, however made, is equally subversive of their antient and undoubted right.

I have thus laid before the public, the capital grievances which have, within these few years, been heaped upon the Colonies. *The disposal*
O *of*

* See *St John's* message on Ship-money.

of their property against their consent ; the establishing Courts and Commissioners among them, with all the powers that are inconsistent with liberty and law ; the rendering life as well as property insecure, by the new mode of trial for treason, &c. and destroying all freedom of debate and determination in their provincial assemblies. Had these powers been executed by faithful servants, supported by an adequate number of peace officers in regimentals, and over a people submissive to bend their necks to any yoke ; we should soon have seen the heretofore flourishing, because free, Provinces of America, wretched and waste as those of the Grand Signior's empire, the miserable residence of slaves and tyrants.

But let the people of *England*, to whom the tyranny of a few can be neither profitable nor safe, judge of the *American* as becomes them. They will then see, that the government there ought to be restored to that center, on which the wisdom and justice of our ancestors poised it, *reserving to this country the supreme regulation of trade ; and leaving to them, untouched, the disposal of their property, and the sacred possession of the common law of the land.*

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

March 13, 1770.

THE late determination, in the H— of C—, touching *America*, is not so generally understood as to render an explanation of it unnecessary. It may be conceived, that relief has been given to the complaints of our Colonies; from whence the natural conclusion will be, that they ought to be satisfied.

That every man may be enabled to judge how far this is true, I shall beg leave to recal to your minds the grievances of *America*, and to state the late transaction in the H— of C—; from which it will appear, whether, in any degree, those grievances have been redressed.

The Colonies then complain, that they have had their property granted away, contrary to the fundamental rights of *British* subjects, without the consent of themselves or of their Representatives, by sundry Acts, but especially by one of the 7th of this reign, imposing duties on tea, glass, paper and paint. That their houses, locks, &c. were laid open to something worse than a General Warrant, namely, to the will and pleasure of every officer or servant in the Customs. That their property in trade is rendered absolutely insecure, by the establishment of a Board

of Commissioners of Customs, with all the odious and oppressive powers of Excise ; with Vice-Admiralty Courts, having a jurisdiction subversive of the first principles of justice, and of the established laws of the realm, from the decision being left to a *partial* Judge, without a Jury ; and by the highest encouragement being given to Informers and Custom-house Officers, with an absolute security, *by law*, from any punishment, should their informations or seizures be ever so false and detrimental : of which I will venture to say, that there is not, in the most despotic country on earth, an establishment at once so cruel and unjust.

Besides these general grievances, there are some which are local, yet consequentially affect the whole, and are equally destructive of freedom, humanity and justice. These are the suspension of the legislative power of the Assembly of *New York*, for not obeying an arbitrary mandate ; though it is plain that no Assembly can be free which is subject to any controul whatever, but that of the people at large, by whom, and for whom they were constituted : the extension of an obsolete and arbitrary Act of *Henry VIII.* for trial of treason, &c. to the Province of *Massachusetts's Bay* ; the quartering troops in *Boston* against law, and raising the military above the civil power.

The *Americans* were fully sensible, how fatal every one of these measures were to the dearest rights

rights of themselves and of their children. But as they knew how many prejudices prevailed against them in this country, they confined their solicitations to the *repeal* of the last Revenue-Act. And as the Board of Commissioners and Vice-Admiralty Courts, with all their detested train of arbitrary powers, grew chiefly on that Act, they had the justest reason to hope, that the abolition of them would follow that repeal. With such a consequence, this single repeal, though it would not have entirely redressed their grievances, would have given them great satisfaction. And for the rest, they would have trusted to the wisdom, humanity and justice of their parent-state. The Colonies, therefore, associated against this Act; and all their orders for goods were on condition, it were *repealed*. In consequence of this, the merchants and traders of *London*, petitioned for a *repeal of that Act*.

Now what has the H—— of C—— done? They have determined to *amend* the Act, by taking off the duties on paper, glass and paint only. In every other respect, the Act remains as before.

It is therefore plain, that this measure does not relieve the commerce of this country, agreeably to the prayer of the merchants; nor redress any one grievance of which *America* complains. The merchants cannot, in consequence of it, ship one shilling's worth of the goods ordered; and the *Americans* are left to groan under every oppression which they felt before.

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But it will be said, there is some alleviation given in the quantum of the tax. The produce of the whole duties in this Act, amounts to about thirteen thousand pounds a year; of this nine thousand arises from the tea, the article which is left unrepealed. The reduction of the Revenue from thirteen to nine thousand, is then the whole operation of this amendment. Neither is this saving any thing to our Colonies, because they had determined not to take these articles; and, therefore, the next year's duty upon them would have been very inconsiderable.

I have thought it necessary to explain this matter to the public, that, as I know the *Americans* will persevere in their refusal to take our manufactures, till their grievances are *really* redressed; that they may not hereafter suffer in the opinion of their fellow-subjects here, from a misapprehension of their having been already relieved.

JUNIUS AMERICANUS.

To the PEOPLE of ENGLAND.

March 22, 1770.

I Have hitherto set forth the injustice of the whole system of laws and regulations, which have been made for our Colonies since the year
1763.

1763. I have shewn it to be subversive of the first and fixed principles of *British* liberty, and entirely different from that plan, which the wisdom and justice of our ancestors established.

It was their policy to cherish and conciliate the affections of their fellow-subjects in *America*; it is our folly to nourish and enflame their enmity. It was their wisdom to draw riches from their Colonies, by making the mother country the center of one vast and affluent circle of commerce; it has been our injustice to extort money from them by unconstitutional taxation, and to shut up, at the same time, every channel of trade by which specie could flow into their ports. The system of our forefathers was like the golden chain of *Jupiter*, let down from heaven, and fixed in the earth for its support. The links of it were framed by wisdom, and modelled by justice. Mr *Grenville* chose to substitute one of iron, forged by injustice and oppression. His successors seem to have beat out his chain into a rod of iron, with which, after having dissolved all former confidence and affection, they are endeavouring to enforce obedience.

The consequences of both systems, have been just such as common sense would have predicted. Under that of our ancestors, more than a whole century passed away in mutual confidence, mutual interest, and mutual happiness. No complaints of violated rights rung through the Colonies;

lonies ; no menaces issued from the mother country. The military and naval force of *Great Britain*, was employed to protect her Colonies, for the commercial benefits she received from them ; not to compel obedience to usurped authority, and to laws that, being unjust, make submission slavery.

But from the modern system, sprung immediately universal complaints, and universal opposition. These complaints have either been insultingly rejected unheard, or injuriously answered with reproaches and threats. Their constitutional opposition, has been denominated treason and rebellion ; so that in a time of profound peace, there is nearly as great a military force employed to maintain a temporary quiet in our Colonies, as served, during the late war, to combat and subdue the power of *France*.

In this situation it is doubted, whether we shall comply with the wishes of *America*, by returning to the equitable system of our ancestors ; or persevere in oppression which we cannot justify, and maintain measures from which nothing but injury and ruin can arise.

The public will learn, with astonishment and indignation, that, at this time, when *Great Britain*, almost defenceless, is threatened and insulted by *France* and *Spain*, upwards of twenty sail of ships of war, cutters and other armed vessels, are employed in harassing and obstructing the trade of *New England*. They have seized
and

and detained, to the great injury of the fair trader, twenty-three vessels, which injustice itself could not condemn, as not a shadow of charge appeared against them. Yet the unhappy sufferers are precluded from all legal means of being reimbursed for their losses, or of checking these cruel and wanton seizures, by the punishment of those who make them. Will Lord H———h deign to tell us, what are his ideas of the trade of our Colonies, which enables them to take annually two millions worth of our manufactures? Does he think it injurious to this country, that he is thus employing that force, which ought to be turned against our inveterate foes, to cruise against the *American* merchant? He will tell us, perhaps, that this is intended against the illicit trader. If so, why is not the *law open in America, as in Britain*, against those who *make false and frivolous seizures*? In that case, the unfair trader only would suffer; now, every one is equally exposed to the malevolence of Informers and Custom-house Officers; so that this establishment, cannot operate so much to discountenance unfair traffick, as to abolish entirely all trade.

The Province of *Massachusetts's* Bay, has been continually the marked object of ministerial vengeance. This has arisen from their having had, most unfortunately, at the commencement of this obnoxious system, a G———r, who
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eagerly embraced every opportunity of misrepresenting and maligning the people. The opposition to the Stamp-Act, and to other unconstitutional exertions of authority, did not originate in that Province; nor was it carried there to a greater height, than in almost every Colony on the Continent. The Governors of all the Provinces performed the same public duty; for the ministerial mandates were circular, and almost every Assembly has been in its turn dissolved, for treating them with the contempt they deserved. Yet where is the Governor, who is universally odious and detestable, not only in his own Province, but through all *America*, like Sir F——s B——d? After this, what shall we say to the impudence of this assertion, in his vindication of himself, that “After the
 “opposition to the Parliament was adopted by the
 “House of Representatives, it became impossible for the respondent, or *any other Governor*,
 “to do his *duty*, and preserve his popularity.” Now, I assert, and defy his Excellency to refute it, that every House of Representatives on the Continent, adopted the same opposition, not to Parliament, as is his incendiary stile, but to the infringement of their liberties; and that every Governor did the same duty without incurring the odium with Sir F——s B——d. There is not a fact in the world of greater notoriety than this; otherwise I would refer him, for the proof, to the Addresses of the Assemblies of *Virginia*
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and *New York*, after the deaths of their Governors, which speak of them in the highest terms of approbation and regret; and to the example of Governor *Sbarpe* in *Maryland*, who, after being superseded, has settled among the people universally beloved. Had *Massachusetts's Bay* been particular in their opposition, farther than they have of late been particular in being oppressed, or had the abhorrence of Governor B——d's conduct been confined to that Province, there might have been some speciousness in what he has said. But, at present, it is a daring and desperate assertion, directly in the face of truths of the most public notoriety.

The fact is, that other Governors did not think their duty consisted in forging malignant falsehoods; in reporting every idle and mischievous tale; in exaggerating every little disturbance into riot; sedition, treason, and oppugnation to all legal government; in abusing the Council, the House of Representatives, the Merchants and People, as disposed to rebellion; and leaguings with a set of detestable Commissioners and Custom-house Officers, as the only friends to good government; nor in sending over an accusation of treason against five hundred men, without having a shadow of proof against one. As other Governors were not guilty of these crimes, they did their *duty*, yet preserved their *popularity*. If Governor B——d knows any one who did act in that manner, it will be a more feasible cause

for losing his popularity, than that of having done his duty. And if the public should be of opinion, that an *American* Governor has been justly charged with such a conduct, they will not hesitate to look upon him with that detestation, in which he is held through all *America*, whatever sanction may be given to his crimes, from the *reports* of those who are abettors and partakers of his guilt. I should desire nothing more, than having this question agitated before an impartial *English* Jury. For I cannot help regarding another trial to be much the same, as if Lord B—e were to be tried by the junto of C—l—n House.

It may now perhaps be expected, that, as Governor B—d is absent from *Boston*, every thing there will be quiet and composed. No more than the absence of Lord *Bute*, to compare great things with small, will give peace to this kingdom. Their fatal influence still prevails. They have unhappily left their representatives in both places. The reins of government are now most assuredly held at *Boston*, by a second *Bernard*. I do not advance this upon my own opinion, or the general sense of the Lieutenant Governor's countrymen; but upon the most respectable authority we can have in this case, that of Sir F—s B—d. He, in his letter of the 12th of *March*, 1768, to the Secretary of State, says, " It gives me great pleasure to say, that I can " depend on his, the Lieutenant Governor's,
 " *resolution*

“ *resolution and steadiness*, as much as I can upon “ *my own*.” The public will, at least, believe, that he speaks truth of his associates; and will judge what must be Mr *Hutchinson’s* merits and temper, who could procure so warm an approbation from an incendiary provincial *Bathaw*. But we must not be surprized, if the same tyrannical and inflammatory measures are continued in *Boston*, and the same misrepresentations of the temper, intentions and conduct of the people, transmitted hither. The Lieutenant Governor has already given the most convincing proofs, that his Excellency’s confidence in him is not misplaced, by proroguing the Assembly which was to prosecute Governor *Bernard* (without consulting the King’s Council) till the trial was over, and by pronouncing a peaceable meeting of the merchants to be absolutely illegal. And he will certainly pursue this *honourable* career to preferment; though he cannot but perceive, what odium it has brought upon his *principal*: for, with infinitely more ability, subtlety and address, he is equally subservient to self-interest, and holds principles as incompatible with the constitutional liberties of the people. Such is the *unvarnished* character of the present Lieutenant Governor in *Boston*.

As an advocate for the Colonies, and a friend to liberty, I should be ungrateful were I not to make my warmest acknowledgments to General *Mc—y*, for his public and honest declaration,
that

that when he commanded in *Boston*, he intimated to a soldier, who was in the hands of the civil magistracy for an offence against the laws, "That if he did not immediately break away, he would send a military force to seize upon him, and execute him as a deserter." The *Americans* thought the General their friend, and he has fully proved himself such, by this candid discovery; which must operate to convince the most prejudiced, that the design of the military, and of those who sent them, was to trample on all laws but what they themselves should decree. The people of *Boston* have felt this melancholy truth, and it has been my endeavour to set it before the public in its full light; but I acknowledge, with thankfulness, that this unasked and unexpected declaration from one who, as he commanded, is the highest authority, brings more conviction with it than twenty times my proofs. *The military were to carry the law on the points of their swords.* This was the simple and spirited system of government, which the present Ministry had formed for our Colonies, instead of that perplexed, troublesome, obsolete plan of our ancestors, founded on the free constitution of *England*.

Before I dismiss this subject, I must take the liberty of correcting a little mistake the General was under, concerning the laws of *Massachusetts Bay*. He told us, his men were sold for slaves. Had he enquired, he would have found the fact

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to be this : By the law in that Province, when a man is in prison for debt, or for theft, if he can neither pay nor make retribution, instead of being kept to rot in jail, as with us, *upon his own petition*, the magistracy are empowered by law to bind him to his creditor, on stated wages, till the sum due is paid in labour, and then the bond is cancelled. Too much praise cannot be bestowed on the justice, humanity, and wisdom of this law ; so that if, on these principles, any law, not made in the Cabinet here, or in a Court-Martial there, could have escaped censure and infringement from General G—e and General Mc—y, it must have been this. It had happened, I suppose, that some of the new legislature, the soldiery at *Boston*, had, by plundering, as they phrase it, but, as others call it, by thieving, incurred the penalty of imprisonment, from which they had petitioned to be relieved agreeably to this law. And this is what the General *misapprehended* to be selling his men for slaves. Had he condescended to make any enquiry about it, he would have found, that this law had received the King's assent, and was as valid there as an Act of Parliament ; and that, as such, he ought not to have violated it, without an *order, at least, from the Secretary of State.*

JUNIUS AMERICANUS.

To the PRINTER of the GAZETTEER.

January 17, 1770.

THE elaborate, exaggerated, and malicious account of a late riot in *Boston*, published in your paper of yesterday, with the signature of *Veritas*, requires some explanation.

The public should be informed, that Mr M—n, the woful Knight of this little Romance, was always the tool of Governor B——d. That he has followed hither his amiable and spotless patron; who, it is too well known, has ever proved himself a generous friend to the liberty and happiness of the Province, in which, to their good fortune, he presided. That this *par nobile fratrum*, are now endeavouring to support each other's misrepresentations against the people of *Boston*, both with the Ministers of state, and with the public; for the latter of whom was intended the laboured misrepresentation of yesterday.

Whatever credit this account may seem to derive, from some extracts of affidavits incorporated with it, must be withdrawn, when we consider, that they are not authenticated by the name of any magistrate, and should, in any event, be deemed *ex parte* testimonies. It is certain, that the other, and more apparently authentic relation

relation of this matter, differs totally from this; and that Mr M—n himself is the only person who brought over the particulars he has published.

The public will therefore, in its justice, consider that account as a continuation of those malicious misrepresentations, with which Governor B—nd and his tools have so long endeavoured to abuse this country, and injure *America*.

JUNIUS AMERICANUS.

For the GAZETTEER.

January 29, 1770.

JUNIUS AMERICANUS has received the polite, and he has no doubt, the *guileless* invitation of *Veritas*; but cannot have the honour of accepting it. He stands on public ground, appeals to reason, and does not wish to mix any thing personal in the dispute. What satisfaction could it be to the public, that *Junius Americanus* should see the authentications of the affidavits? If they are fit for the public eye, let them meet it.

Junius Americanus may perhaps be prejudiced, but he can venture to assure *Veritas* it is nothing of personal prejudice, but that only which necessarily grew from inspecting the flagitious proceedings

ceedings of Sir F——s B——d. He has attentively considered the conduct both of the Province of *Massachusetts Bay*, and of their G——r ; and he can well distinguish between the faults of the one, and the crimes of the other.

The additional publication of *Veritas* is so far from being satisfactory, that it furnishes new lights to shew, that this account of a late riot in *Boston*, is as misrepresented, exaggerated and fictitious, as those which Sir F——s B——d before distorted to his pernicious purposes. Nor have I the least doubt, that the public opinion, will justify mine, when I have placed this matter in its true light.

And first, I must make the reader acquainted with the actors in this business. They are Mr M——n, a Bookseller in *Boston*, now in *London*, and always a notorious tool to G——r B——d ; Mr O——r, Secretary of the Province, Keeper of the provincial Seal ; and well known as a most abject sycophant of his Excellency ; and *Veritas*, or, as I conjecture, (whoever may have delivered his productions to the press, or fathered it with the Printer,) Sir F——s B——d himself. These are men so notoriously engaged in the *business of riot-making*, and the avowed enemies of the people of *Boston* ; that any account of that kind coming from them, carries the suspicion of forgery in the very face of it.

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But they rely on the Seal of the Province to give it credit. I have already mentioned, that the Seal of the Province is in the hands of Mr O——r, a declared partizan against the town; and a despicable tool to the G——r. And here we have another instance of Sir F——'s B——d's art, I will not say *wicked*, because the spirit of his conduct, at this day, needs not any expletive with the public. The Seal was in the hands of his tool; he has it affixed to his own account of this riot, well knowing that the refutation of it would never receive the same authentication; and therefore must appear, at this distance, less worthy of belief. He had prorogued the Assembly for six months; so that no public inquisition could be made into this new aspersions on the town. So contrived, he promised himself, that it would have its full effect in bringing an odium on the town before it was detected; and he has manifested, on many occasions, how little he regards the infamy of detection, provided the scheme has gratified his vengeance. But history and daily life, furnish innumerable examples of wicked men defeating their purposes, by the very means they take to promote them. And thus this unusual and prostituted, if not illegal application of the provincial Seal to ex-party affidavits, instead of stamping credit on them, serves only to give them the stronger impression of partiality and imposture.

Let us next examine the main pillar, on which this elaborate fabric rests ; the affidavits.

We are told that a Justice of Peace, *a particular friend of Mr M—n's*, came from the country into *Boston*, on purpose to take these depositions. If this does not wear the face of party, what does ? *A Justice, a particular friend of one of the parties, sent for out of the country* ; why all this, but that they might examine whom they pleased, frame just such a detail as they thought proper, and keep it secret, so as to obtain the desired effect from their forgery, before it could be properly detected ?

Upon examining the names affixed to the affidavits, we find them too co-operating to prove it entirely a party business. The deponents are two officers of Customs, a printer in partnership with Mr M—n, a surgeon of one of the men of war, a captain, lieutenant, corporal, and five common soldiers of the 29th regiment ; a *Scots* merchant, and a *Scots* taylor. I must observe, that these are selected by *Veritas*, as he pretends, out of others ; I presume as the *most creditable*.

That the officers of Customs are partizans, is unquestionable ; for this is not the first time they have sworn against the people ; the printer is not only in partnership with Mr M—n in his business, but notoriously too in his resentment and opposition to the non-importation, which was the foundation of this quarrel ; the hated purpose for which the military were sent to

Boston,

Boston, made them obnoxious to the people; and the outrageous conduct of both officers and men, respecting the town, of which the public has at sundry times had the most authentic relations, is sufficient to shew they are decided enemies to the inhabitants; and that a *North-British* merchant and taylor should be virulent partizans against a people contending for liberty, cannot be of very difficult belief.

It is then most evident, that these depositions are, to the last degree, suspicious; that they were taken *ex parte*, appears from the confession of *Veritas* himself; that they were made by a Justice employed for this special purpose, as being a particular friend of Mr M—n; and lastly, the Seal of the Province *applied* by such hands, gives no credit.

After having acquired, from a perusal of all his letters, a familiarity with G——r B——d's style, and with his insidious manner of accusing every body without charging any particular, so as to preclude an immediate refutation; I am at no loss to conjecture where this violent invective against the town of *Boston* originated. His former accounts of riots, treasons, and disaffection in the town, are formed in the very same mold with this; and not one of them has yet been proved. I shall content myself with giving two instances of his manner of making general accusations of the blackest dye, which, though false, are, from their generality, not easily

easily refutable : “ It is well known,” says he, “ that *some of the Faction*, soon after he (Mr. M—n) made his escape, entered into a solemn agreement to murder him. The intention of taking out the warrant, as given out *by some of the ring-leaders*, was to get him (Mr M—n) into the hands of the civil officers, from whom the mob were to take him, and then to use him as they should think proper.” Here we see the general terms of *Faction* and *ring-leaders*, as they specify no one, may be applied to any body ; and therefore, no particular person can undertake, for himself, to refute them.

If, by the *Faction*, we are to understand those who are in opposition to the Governor’s measures, we shall find them to be the Council, the Assembly, the convention, the select men, the merchants and the town-meetings. These have been variously stigmatized by G——r B——d and his tools, as enemies to all legal government, to liberty and the constitution ; while he himself, with Mr M—n, some Custom-house officers, common soldiers, and *North-Britons*, are the only friends to their King and their Country, the only well-wishers to order and good government, and the true friends to the Province and to the people. *Quodcumque ostendis mihi sic incredulus odi.*

If G——r B——d intends to shew his talent for riot-making, as a means of recommending

mending himself to the present Administration, I heartily wish him success. He may be appointed *Riot-Maker-General*, and send Mr M—n as his deputy to *Boston*.

In the mean time I shall hope, that I have satisfied the impartial public, how little credit is due to his narration of a late riot in *Boston*, with all its parade of affidavits, and the provincial Seal.

I have no acquaintance with any one person concerned in any of these transactions; and am governed in the part I have taken, by a thorough conviction of the pernicious principles and practices of G——r B——d; and of the injurious treatment the people of *Boston*, and of the Province, have received from him and from his tools. Without any other earthly motive, I have made it my business to unfold his flagitious measures to the public, and hold them up to the contempt and detestation they deserve. Till he ceases to be actively vicious, he may depend upon it I will never cease to pursue him; that he should ever be virtuous, is not, in his situation, to be expected.

JUNIUS AMERICANUS.

To the AMERICAN MERCHANTS.

February 1, 1770.

GENTLEMEN,

YOU are at length convinced, that your interest calls upon you, to exert yourselves in obtaining a redress of *American Grievances*. But you are in doubt, whether to solicit a repeal of *all the Revenue laws*, or that *part of one only* which lays duties on glass, paper, and paint.

The reasons for petitioning against a part of one Act, are, That if the whole is attempted, it will disappoint the repeal of the part; and that the repeal of a part will be satisfactory to the Colonies.

Now the ground on which you must petition, in either case, is the injury derived to commerce by that of which you complain. If Parliament is to be moved by the prayer of your petition, they will give you that relief which you point out to be necessary. You are therefore to consider only what is necessary to the revival and relief of your commerce.

The injury your commerce sustains, flows from the associations in *America*, against the importation of *British* manufactures. If we look then into the cause of those associations and remove that, the anti-commercial effects will cease.

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The complaint of these associations, should be your complaint; because, from that only the losses you sustain, from this interruption of commerce is derived. Now there is not one association or public act, which mentions the taking off the duties on glass, paper, and paint only, as a remedy of their grievances. On the contrary, the Merchants and Traders of *Boston*, since the ministerial promise to this effect was made public in *America*, voted in their Meeting on the 25th of *July*, That the taking off the duties on these articles, will by no means relieve the trade; therefore they resolve to adhere to their agreement against importation. And previous to this, the Committee of Merchants at *Philadelphia*, in their Letter of the 5th of *June*, to the Committee here, expressly say, that “confining
“yourself to the Act, laying a duty on glass,
“paper, and paint, and taking no notice of
“others of a similar nature, will not satisfy the
“Americans.”

With these public evidences of the insufficiency of obtaining a partial repeal, it is fruitless to make the attempt. I cannot think that any man will on a moment's consideration, oppose to these public authorities, the information of private individuals. Every one knows, that neither the opinion nor interests of individuals should weigh against those of the body at large: that the Merchants here as a body are to be governed by public evidence, not by private in-

situations: and that the report of individuals *contradicting in private* what they have *signed in public*, is a treacherous conduct, which must be prompted by self-interest, or self-opinion, and better deserves contempt than credit.

Having thus shewn, that a partial repeal will not suffice to allay the discontent of our Colonies; let us next examine what will be adequate to this desirable end. To this purpose, let me observe, that what the *Americans* really complain of, is the raising a Revenue upon them without their consent. Every Revenue-Act, therefore, in which this principle is avowed, is obnoxious, will keep up the discontent of our Colonies, and prevent the re-establishment of our trade. Such Acts then are anti-commercial, and for that reason ought to be the subject-matter of your petition.

To convince you that this is the expectation of *America*, I may refer you to the general and constant tenor of their associations, instructions and resolves. I will not trouble you with reciting them all here, but those which I shall give are so explicit and authoritative, that they will, I conceive, remove every shadow of doubt on this subject.

The Merchants and Traders of the Town of *Boston*, at their meeting on the 26th of *July*, say, they had reason to expect, " that all the Acts
" imposing duties on goods imported into the
" Colonies, for the purpose of raising a Reve-
" nue

“ hue in *America*, would be repealed ; and it is
 “ voted, That they will send no orders for any
 “ goods contrary to their agreement, unless the
 “ Revenue-Acts are repealed.”

The Committee of Merchants in *Philadelphia*,
 in their excellent Letter of the 8th of *April*,
 inform you, that “ the *Americans* consider
 “ themselves as *British* subjects, intitled to all
 “ the rights and privileges of freemen. They
 “ think there can be no liberty without a secu-
 “ rity of property ; and that, there can be no
 “ property, if any can, without their consent,
 “ deprive them of the hard-earn’d fruit of
 “ their labour. They know that they have no
 “ choice in the election of Members of Parlia-
 “ ment, and from their situation never can
 “ have any ; every Act of Parliament, there-
 “ fore, that is made for raising a *Revenue* in
 “ *America*, is, in their opinion, a depriving
 “ them of their property without their consent,
 “ and consequently an invasion of their liberty.
 “ If then the Acts cannot be repealed while
 “ the Ministry objects, and if to remove their
 “ objections the *Americans* must give up their
 “ sentiments, we must candidly confess, we have
 “ little hopes of a repeal ever taking place.
 “ Much less is it to be expected that the Mer-
 “ chants will presume to petition Parliament,
 “ on the principle of *inexpediency* only, when every
 “ Assembly on the Continent, are applying for
 “ a repeal on the principle of *right*. The Mer-

“chants are too sensible how jealous the *Americans* are of their liberty, ever to hazard such a step. We apprehend that advantage may have been taken from a supposed disunion of the Colonies, and therefore think it our duty to inform you, that the Merchants of this Province, have always agreed with the other Colonists in opinion, that the late Revenue-Acts were unconstitutional, though they refused to adopt a measure which at one time they believed to be premature.”

This Letter is signed by the principal Merchants, Quakers as well as others. You may perceive the principle on which they proceed, is that which I have already mentioned. And as every one must know, that nothing has happened to alter this principle, it cannot be presumed that they have changed their sentiments and determinations founded upon it; nor that any repeal, but that of *all* the Acts passed for the purpose of raising a Revenue upon them, will satisfy their expectations, and dissolve their associations against importation; and if any individuals here or there, who have set their hands to this agreement, shall tell you that a partial repeal will suffice, their information must be bad, and their treachery is too evident not to merit and meet your disapprobation. For can any one seriously think, that the evasive promise of a Minister, who happily is to-day, and to-morrow is not, could delude wise men into a change

change of measures, grounded upon the maturest deliberation, and the soundest principles?

The association of *Virginia* is also express in this particular, "That they will not at any time hereafter, directly or indirectly, import or cause to be imported, any manner of goods, &c. which are, or shall hereafter be taxed by Act of Parliament, for the purpose of raising a Revenue in *America*; nor purchase any such, but shall always consider such taxation, in every respect, as an absolute prohibition." It is well known how the other Colonies have harmonized with *Virginia*, as well in this as in the Resolves of their Assembly, against the principle of raising a Revenue upon them against their consent.

From these most authoritative proofs the sentiments of *America* are manifest; and it is submitted to your wisdom, whether attempting a partial repeal will not be labour in vain, when it is plain that nothing but a general repeal will answer your purpose of restoring commerce to its former tide.

It has been proposed to you to wait upon the Minister, and act as he shall advise. What you would wish in an adviser is sincerity and knowledge. Do you expect more knowledge of your own affairs in the Minister, than you find in yourselves? or will you hope to meet sincerity in a Courtier? the contrary of which is so proverbial, that a school-boy would be chastised for any reliance

liance on it. How then is a Minister a proper Counsellor, or what else will he counsel you to do, but that which most promotes his private interest, or supports his particular opinion? He will regard and use you as his tools. I would wish to remind you how little such a proceeding becomes the dignity of some of the first Merchants of the first trading city in the first commercial kingdom in the Universe. But the Minister is to tell you whether it is agreeable and expedient. It is your part to consider only whether it is useful and necessary; if it is so, let the rest be submitted to the wisdom and justice of Parliament. Be justly sensible of your own weight, act an independent part, and scorn to be the tools or servilely to wait on the nod of any minister. Will he reimburse you for the losses your delay will infallibly occasion? Somerperhaps he may, which prompts their assiduity in deluding you into so unwise and unbecoming a measure.

Upon the whole, Gentlemen, I hope you will be satisfied, that it is your interest to apply for a repeal of all the Revenue-Acts; and that any application to the Minister is neither wise nor eligible.

JUNIUS AMERICANUS.

To the Right Honourable Author of a late Speech.

December 12, 1769.

HOWEVER constitutional, virtuous, or commendable, the present opposition to a wicked M——y may appear; however necessary it may be to excite the indignation of the people, even to consume them in vindictive wrath: Yet it ill becomes you, Sir, to stand forth as an advocate of a nation, whose greatest injuries are chiefly chargeable on you. How can you thus insult the understanding of a sensible people, by impudently asserting their rights, which you have so lavishly thrown away, and which you never mean to secure? How can *you* pretend to any tenderness for the people, whom you, not five years since, like a haughty tyrant, ruled with a rod of iron? How can *you* plead the laws of Parliament in favour of Mr *Wilkes*, after you have prostituted all law and justice to gratify the E——l of B—— in his persecution?

I detest the present M——y because they tread in your steps, they are influenced by the same venal motives, to compleat your plan of despotism. I wish success to the opposition, because I have reason to believe many of them have real virtue, and despise you. But I must confess their reputation is tarnished by your alliance.

Your

Your two brothers might have secured a considerable share of popular confidence without you ; but they must have great address indeed to hide in oblivion your blunders and venality ; and to do this they must deprive us of our feelings.

That part of your speech which relates to the expulsion of Mr *Wilkes*, I leave, as fully answered by one of his friends, which spirited answer I earnestly recommend to the public. As I have undertaken the defence of *America*, I am under a necessity of making some observations on those sentences, which so nearly concern our fellow-subjects in that part of the world.

You draw one argument from the *present disobedience of our Colonies*. What disobedience, Sir, when or where manifested ? Can you be so unjust as to call discontent with the *principles* of an Act, *disobedience* to its *operation* ? Yet what else can you truly charge against *America* ? The Revenue-Acts with their whole pernicious system, have been carried into full and fatal execution from one end of the Continent to the other. I defy you, Sir, to shew a single instance of infraction in those laws, more than what daily happens, and must happen, in every country where there are laws to be infringed. The great incendiary between this country and *America*, has not gone farther than asserting a *disposition* to disobedience in the town of *Boston* ; which, I believe, the enemies of *America* consider as most disposed

disposed to opposition; and shall a *local charge* from one avowedly inflamed with the most violent animosity, be adopted, by you against a whole *country*, not only adopted, but agreed upon as unquestionable fact?

Remember, Sir, what you yourself have told us, "that we are to found our judgment upon specific facts alledged and proved." Where, Sir, are the specific facts alledged and proved, of disobedience in our Colonies? Is this just and sacred mode of judging to be observed in the case of an individual; and violated in that of a whole people? Are the equal and eternal principles of natural equity, of truth, of justice, to which you appeal, to be absolutely abandoned, whenever *America* comes in question? Is this the *consistency* on which you are to *value yourself*? Are you actuated against that injured, misrepresented, and insulted people, by that *prejudice* which you call a *weakness*, or that *indignation* which you term a *wicked passion*?

Whatever falls from such a man, in such a place, and in such a question, falls with weight; and if unjust, may be greatly injurious. However circumscribed in words, in its operation it may be dilated into a pernicious magnitude. Thus it will go through this nation, with all the authority of your speech, that our Colonies *are in a state of disobedience*; than which, for I must speak plainly to you, Sir, nothing can be more untrue in fact, nothing more fallacious in

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argument.

argument. Our Colonies are not *disobedient*, but *discontented*; this distinction is in policy of infinite moment. Did they refuse to pay the duty on consumption, it would be disobedience; but their not consuming our manufactures, is discontent; force might punish, and perhaps, however ineligibly, correct their disobedience; but against the effects of their discontent, it cannot operate. You may compel them to pay the tax on the articles consumed, but how will you force them to the consumption? This is a field of contest, in which they are as strong as you are weak; the more force you use the more fatal will be the recoil upon yourselves. The disuse of your manufactures, while it impoverishes you, will enrich them. The more you urge this hated oppression, the more universal and unalterable will you render their aversion to *Britain*, and to her manufactures.

Such being the evident state of this matter, let me ask you, Sir, whether your *American* system be not a *new and dangerous mode* of proceeding? or what good purpose it can answer, to be eternally reiterating these common place and groundless invectives against our Colonies? Whether, to use your own words, “under our present circumstances it does not behove us to be
 “doubly cautious, not to exceed the strictest
 “bound of law and the constitution?” “Is it
 “not more adviseable, if the case can admit of
 “a doubt (and that the *American* case does so
 “you

“ you cannot surely deny) to conciliate the
 “ heated minds of men by temper and discre-
 “ tion, than to inflame them by adding fresh
 “ fuel to discontent? Our situation, I am sure,
 “ demands the firm support of an united peo-
 “ ple, and an affectionate reliance on the wis-
 “ dom of those who govern them. Till that
 “ can be restored, we may look around for or-
 “ der and for obedience in vain.”

By what fatality is it, Sir, that you cannot perceive those arguments operating with equal force against your *American* policy, as against the present ministerial system in this country? With what face can you affect to feel them in the one case, and not in the other? For in the *American* Acts have you not at all exceeded the strictest bounds of the constitution? Is it not wise policy to conciliate the affections of the Colonists, and high imprudence to inflame their resentments? Is not their cordial attachment to us, and their reliance on our wisdom and justice, desirable and necessary? And without these shall we look for order and obedience, in that country, with more propriety than in this?

Vain, I am afraid, will be an appeal to you, on the principles of prudence, wisdom, and justice; not one ray of these having appeared in your whole system for *America*. You have deemed it unworthy the character of a great and wise man, to forego an opinion once adopted.

On the affairs of *America* you are therefore perpetually to harangue, instead of reasoning, to assert instead of proving, to inveigh instead of advising. While you endeavoured to exasperate others, you have fired yourself. You therefore look towards *America* through an inflamed medium, in which every sentiment and action of that people, turn their complexion, and appear most monstrous; big with disaffection, disobedience, sedition and treason. But give me leave to tell you, that you are deceived by fictions of your own creation. In opposing the universal sense and rights of the *Americans*, you are combating insuperable obstacles. The cause of *America* stands on the unalterable rights of men, a due sense of which will animate the last drop of their blood to struggle against injustice and oppression. So animated, the bitterness of your malice will be poured out against them in vain; the heat of your wrath will be kindled without effect. It may indeed produce a convulsion which no good man would wish, but which, unhappily for mankind, bad men have it too often in their power to excite. Yet *America* will rise superior to their efforts.—*Merses profundo, pulchrior evenit.*

JUNIUS AMERICANUS.

To the D—— of G——.

February 10, 1770.

IN a very august Assembly, on a late solemn occasion, you was pleased to assert, that “Colonel L—— would have had the majority of votes at the Election for *Middlesex*, had not the virtuous and honest Freeholders been awed and intimidated from attending, by the fear of their lives.” My L—d, you surely did not expect, that an assertion so injurious and unjust; would pass unnoticed or unrefuted. But you would hazard any future infamy of detection, for the present advantage of deceiving. It almost gives me pain, indeed, to treat you as you merit; because it must increase that load of just censure, which has already borne you down to almost the lowest degree of humiliation and contempt.

But let us bring this assertion to the test of *fact*, against which you have been wrestling thro’ the whole course of a miserable administration, and examine what reason there was for apprehension of violence from the friends of Mr *Wilkes*.

Among the base and innumerable falsehoods which the hireling maligners of other mens reputations, and blanchers of your’s, have framed, they

they have not charged the death of any one person, to the most outrageous mob that your despotic conduct ever raised. Even when a set of mercenary merchants carried the honour and dignity of this great city to public prostitution, the resentment of the populace went no farther than breaking the shins of *Scotchmen*. When too, after the scenes of violence and bloodshed, which ministerial management had introduced at *Brentford*, the despicable *Dingley* was appointed to bear your arbitrary standard against the banners of free election, what actual injury did he sustain? He, it is true, like your G——e, awed by the terrors of a guilty conscience, shrunk from the trial and abandoned his post. But his fears were not to be interpreted as real dangers; and I shall be extremely sorry if your apprehensions prove as groundless as his.

Again, when you brought forth your abandoned champion, what cause of intimidation then appeared, or what *Englishmen* were those who could be deterred, by their own groundless apprehensions, from exerting this important trust? Was you aware of the compliment you paid, in this assertion, to the spirit of your friends in *Middlesex*? or were they satisfied; from your previous declaration, that a brave and virtuous majority in the H—— of C——, would, under the auspices of your G——e, elect the man whom they deserted? In truth, you did not hazard any offence to your friends;
since

Since both they and their fears were equally the creatures of your G——e's embellishing imagination.

It is the friends of liberty whom, by imputation, you have thus shamefully traduced, to whom you intended and have given the offence. And let me tell your Grace, that there is not a freeholder of them all, who, standing upon equal ground with you, would not retort this foul aspersion in your teeth. Not even the poorest of those freeholders, whom you and your base advocates, forgetting every principle of our free constitution, and the dignity of *Englishmen*, have dared to call *the base-born, plebeian scum of the earth*, has deserved this calumny of being reputed a murderer, (for this your words import,) or would bear it from you.

Your G——e may think I treat you freely. When you treat freemen with indignity, you must expect to be censured with freedom. And, weigh the matter fairly, where is the ground of your pride? Your title flows from the vices of an abandoned Prince; their's, from the virtue of their fathers. What wonder then, if I hold them more sacred in the virtuous possession of a generous birthright, than you in the prostituted honours of a spurious nobleman? Remember, my L—d, that title and high birth do not give, but infer honour, dignity, and virtue. And when you shew yourself destitute of these, spite of your pride, you must, in the estimation of
every

every honest man, sink below the level of the untitled and ignobly born.

I have shewn how groundless your charge is, of intimidation coming from those who, in despite of all ministerial influence, espoused the cause of liberty. Let us now see, whether you and your associates, in fact, stand equally excused. Who was it then, my gracious L—d, who let loose a ruthless band of hired ruffians on those freeholders who supported the cause of freedom at the election of Mr *Glyn*? Who was it, my good L—d, who, when these murderers were fairly tried, convicted and condemned, advised his M——y to extend to their atrocious crimes his r——l mercy? And this, by setting up the shameful opinion of some unsworn Court-Surgeons, above the verdicts of three legal Juries; and the awful sentence of a Court. Was not here cause of intimidation to the popular party, when they beheld their fellow freeholders of the same sentiment, butchered by hired ruffians, and the murderers screened from all punishment, by the most unprecedented extension of mercy, in defiance of the laws of the land, and of the universal cries of justice? But the freeholders of *Middlesex*, with the spirit of *Englishmen*, conscious of the goodness of their cause, went, fearless and unawed by all the terrors you held forth, to support their rights, and to reiterate their former choice.

My

My L—d, you pretend, that you had good information to warrant your assertion. From whom did your information come? From the feathered coxcomb who is *your representative*, or from a *quondam maitre d' hotel* to Sir G. O—e, and an *American* Governor, now the self-important advocate for *America*, *when the Ministry will permit him?* Or was it from the sage Master in Chancery, who was, under your direction, one of the honourable constituents of this errant-knight? From such sources your G—e must have drawn the purest intelligence; and truly, my L—d, your information bears the genuine resemblance of its chaste original.

Indeed, my L—d, these resources will not serve you long. The enchantment is broken, that Treasurer's wand, which spread a glory round you, to make knaves adulate, and fools applaud. Your G—e must look for some other enchantment; and, by my advice, you will seek it only in wisdom and in virtue. For it is not in folly to commend, or knavery to praise in any, but in a Minister, such sophistry as is at once contemptible and wicked. Much, indeed, do I fear, that your blood is too much corrupted to admit of any remedy, but from that instrument which a series of broken faith and violated rights drew down, in justice, on the neck of your ill-fated ancestor.

JUNIUS AMERICANUS.

A DEFENCE of a late PROTEST.

March 3, 1770.

A Writer, under the signature of *Messala*, has lately favoured us with his sentiments on an important determination in a certain House, which he *modestly* hopes is a compleat answer to a late Protest. He offers his ideas, as those of an impartial man; and in the true spirit of Court Impartialists, denominates those who differ from him, *pretended Patriots*; and their arguments he terms the *vehement noise of faction and prejudice*. To an impartial man, they who differ with him in sentiment, will appear to be mistaken, not prejudiced; and it is the strongest mark of prejudice in ourselves, to suppose our opponents necessarily under its influence; as in the eye of an intoxicated man, every other person seems to be reeling and inebriated.

Yet I am far from thinking *Messala* is under any prejudice in this matter, for prejudice infers some degree of honesty. I mean only to shew how ill he sustains the impartial character he has assumed. Neither will I imitate him in professing what I do not feel; but will candidly declare, that I am an advocate for the rights of the people, against the unconstitutional views of an hypocritical C——t, and the usurpation of a corrupt H. of C.

Having

Having thus placed *Messala* and myself in a true light, I proceed to examine those redoubted arguments, which he has the vanity to deem a complete answer to a Protest, the most momentous in its subject, and the gravest in argument, that was ever yet offered to the consideration of this great and wise people.

We are told, in the first place, that it is an established maxim of government, that absolute authority must be placed in some department of the State, and that our three estates of Parliament, collectively taken, are vested with this absolute authority. Let us, for the sake of argument, allow these positions to be undeniable, and we shall find him in the very next sentence subvert his own maxim. For here it is asserted, that each estate of Parliament has claimed and exercised an absolute power. Now therefore instead of one absolute body, we have four; so that the boasted constitution of *England*, so far from being free, is a multiplied despotism, and the three estates of this realm, in the place of being, what they were intended, such checks on one another as to prevent tyranny from existing any where, are three separate, independent, co-existing, absolute bodies. Hence the people at large are the slaves of the three estates collectively, and of each estate individually. Our constitution, therefore, was not formed to secure the liberty of the subject for the benefit of the people, and the exclusion of despotic power; but

to establish this many-headed monster of a four-fold despotism.

Where was it *Messala* found this blessed idea of our constitution? Not in *Locke*, nor in *Milton*, nor in *Sidney*, nor even in *Montesquieu* *. Perhaps he borrowed it from that magniloquent Pensionary, who, immured within the dirty walls of his own habitation, frames from his *spontaneity, imaginary modes* of procuring Petitions, and spreading *False Alarms*.

But *Messala* thinks he has mended the matter by adding, that the absolute power exercised by each party, is in matters which concern themselves. This is a pretended, not a real restriction, of their arbitrary power; because they will be the only judges of what matters concern themselves. He has asserted this in another place, where he says, "The C——s should
" be allowed to be the best, as they are the only
" judges of their rights and privileges, as a
" body." So that if ever they are inclined to exercise despotic power, they have only to determine it a matter which concerns themselves; and however subversive it may be of the law of the land, of the unquestionable principles of the constitution, of the rights and liberties of the people, and of the other branches of the Legislature,
we.

* He, though a *Frenchman*, has declared; that the *English* is the only Nation in the world, which has made *civil* or *political Liberty* the end of their constitution. See *Spirit of Laws*.

we must all submit to it in silence, or *Messala* will tell us, “ it is a matter of internal order; “ into which no man, or body of men, have “ a right to inquire.” This is the doctrine by which Mr L—— fits in the H——. Let us then only suppose it *continued*, as it has *begun*; the C——t has a majority, no matter how acquired, that majority expel their chief opponents, that expulsion incapacitates; Court Candidates are sent forth to stand against those who are expelled, they have a few votes, and upon those are admitted into the —— as legally chosen. With this mode of election, how long will that H—— be the representative of the p——e; or who could devise a more easy and expeditious method of depriving the people of their only share in the Legislature, through their representative, and their only security against arbitrary and illegal government?

From this fair view of the subject, it must be manifest to every impartial reader, that the protesting L——ds have, with perfect propriety, declared the proceedings of the Lower H——e to be, “ an injury to the Electors of *Great Britain*, a most dangerous usurpation upon the “ rights of the people, which, by sapping the “ fundamental principles of this government, “ threatens its total dissolution.”

Messala has incautiously dropt an observation, which should furnish to the breast of every man, the strongest reason for condemning the measure
which

which he supports. It is that "despotic views
 "are inconsistent with bodies subject to change."
 It is certainly so, and therefore every friend to
 Liberty ought to wish to keep the Members of
 the H——e of C———s subject to change,
 by depending on the people for their re-election,
 and not on the Crown, or on a corrupt
 ———, as in the case before us, bribed to the
 views of the Crown. Despotism will always be
 to the prejudice of the people, and in favour
 of the Crown; therefore those who depend on
 them will ever oppose it; the dependents on
that will always espouse it. It is upon this principle
 in our constitution, that the people have,
 by their representatives freely chosen by themselves,
 a share in the government. Should they
 lose this right of election, by the usurpation of
 any other body whatever, they lose their share
 in the Legislature, and their liberties are gone
 for ever.

But this writer silences us at once, by a piece
 of logic, as just as it is decisive. "Let it be ille-
 gal, or not," says he, "it is done, cannot be
 altered, and there is an end of it. The H——e
 cannot rescind their own judicial resolutions."
 This is his reason. When we are to inquire
 into the legality of this resolution, we are told,
 it is a matter of internal order, with which no
 one else is concerned. But when it is to be re-
 scinded, it is then a judicial resolution, which,
 as it concerns others, the H——e itself must
 not

not revise. So puzzled in the extreme are these unhappy men, that they are obliged to give this question all the shapes of Proteus ; hoping, that in some of them, it will slip from the judgment of mankind, and elude the search of reason, and of truth.

It is really ridiculous to see, to what miserable shifts the advocates for this measure are driven. First, they supported it with the greatest confidence on precedent ; but enquiry having proved, that there is not one precedent for it, and some the reverse ; *Messala* now tells us, the H—— may make a precedent. And what is his reason ? why, because wise judges, with a more limited authority than the H——e of C——s, may decide according to conscience, where neither precedents or statutes apply. Admitting this, is it any reason for their deciding contrary to precedent and law ? Does he know any Court that has this power ? But this is the point in question ; for it is asserted that the —— of —— have decided contrary to law ; therefore the discretionary powers vested in Courts, to supply the defects of law, are foreign to the question.

“ In a judicial capacity,” continues this writer, “ a Court may commit an *error*, but cannot be “ guilty of an *illegality*.” There never was a position more absurd or more untrue. Are not the Judges sworn to determine according to law ? Does not this prove that they are capable of deciding contrary to law ; and what is a decision
contrary

contrary to law, but an illegality? Were not the Courts which tried and sentenced Lord *Russel*, and Colonel *Sidney*, competent and judicial; yet were not their proceedings illegal, and most solemnly pronounced to be so at the Revolution? So that nothing is more manifest than the reverse of that proposition; and that a Court, in a judicial capacity, may and has been guilty of an illegality.

“ In vain,” says *Messala*, “ has the decision “ on the *Middlesex* Election been called illegal, “ as the H——e has the sole right to inquire “ into matters of election.” Never surely was there such a reason given for any assertion. The H——e cannot decide illegally, because they only are to decide. How are they to decide? According to law, are they not? Supposing then the law to be known, as that a Nonjuror, such as the author of the *False Alarm*, shall not sit in the H——e, and yet they admit him; shall we say this decision is legal, because they only have a right to inquire into matters of election? Can any thing be more absurd? Neither is it true, that in matters of election, the H——e has the sole right of inquiry. I can produce such authorities to the contrary, as will, I am sure, convince every impartial reader; however little they may affect *Messala* and his friends. The case of *Ashby* and *White* is a signal instance of this right being called in question, and proved most uncontrovertibly, by the greatest constitutional lawyers,

lawyers, and firmest friends to the Revolution, with which this country was ever blessed, to be unconstitutional, and a dangerous usurpation on the rights of the people. My Lord *Somers*, it is well known, stood at the head of the Lords when they questioned this illegal proceeding of the Commons; in consequence of which, that Parliament was in the end dissolved.

A similar and decisive instance is of later date: In 1745, judgment was given in the Court of Common Pleas, in favour of Sir *W. W. Wynne*, against *Middleton*, Sheriff of *Denbighshire*, for a false return. The House of Commons had adjudged the return legal. A writ of error was brought upon this decision of the House of Commons, for reversing the judgment of the Court. It was argued, says the reporter, *Serjeant Wilson*, three times, in the most solemn manner, when the judgment was affirmed. My Lord Chief Justice *Wills*, in his argument on the writ of error, has these most remarkable words; "We are not bound by law, to take notice, from time to time, of the particular resolutions of the House of Commons, who of themselves cannot make a law. I declare for myself, that I never will be bound by any determination of the House of Commons, against bringing an action at common law, for a false, or a double return, and the party injured may proceed in *Westminster-Hall*, notwithstanding any order of the House. For the Members

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“ are not upon oath, nor can they administer
 “ an oath to witnesses; and it would be very
 “ extraordinary to say, that we who are Judges
 “ upon oath, should be bound by the determi-
 “ nation of persons not upon oath. In trying
 “ such actions for a false return, I would pay
 “ a great regard to the determination of the
 “ House; but I would go on.”

These instances, though there are many more, sufficiently disprove the assertion of *Messala*, that the H——e of C. has the sole right to inquire into matters of election.

I must now take the liberty of instructing this writer a little, in a point of history. “ Our fa-
 “ thers,” says he, “ expelled a whole race of
 “ Kings, for interfering with the Commons.”
 When he reads that transaction with proper accuracy, he will find the fact to be, that our fathers expelled a whole race of Kings, for attempting to subvert the free constitution of this kingdom, and to bring the people under an absolute government; and I sincerely hope their sons will expel any race of —, that shall presume to make a similar attempt. The House of Commons being true to the trust reposed in them, were, as they ought to be, the respectable head of the people in this most laudable proceeding. But let not *Messala* and his friends deceive themselves, by imagining, that though one part of this community should betray their trust, and stab the cause of liberty and
 of

of the constitution, the nation at large will therefore abandon it. There is a vital and invincible spirit of liberty in every part of this empire, which will be fatal to those who attempt to violate their constitutional rights. The people well know, that despotism, however introduced, is equally detestable; that there are many ways of obtaining the same end; and though the method should at any time be different from that of the tyrannical *Stuarts*, they will not therefore hesitate to oppose it. They are as little inclined to admit six hundred tyrants, as our fathers were to suffer one. They have read of the *Decemviri* of *Rome*, the Two Hundred at *Athens*, and the Senate of *Venice*; and they think the slavery of the people was more miserable under them, than in general under any individual tyrants. So informed, and so determined, it may well be hoped, that if ever an attempt should be made to enslave this nation, through its representatives, the attempt will recoil with vengeance upon the heads of those who make it.

We come now to the last argument, in support of this decision on the *Middlesex* E——. This, it is said, being the judicial decision of a Court, cannot be reversed without a breach of public faith. A little before, this proceeding was pronounced to be a matter of internal order, merely concerning themselves, and therefore with which the public had no right to interfere. It was a point of principle, in which the H—e

only was to judge. But now it is a matter of such public concern, that the H——e itself cannot meddle with it, without injustice to the public. Having thus intrenched the public with absurdities, the writer flattered himself, that he had effectually shut it up from an inquiry. But he is deceived, and shall neither perplex us with his inconsistencies, nor delude us with his false and fraudulent notions of honour.

When is the dignity and honour of a Court disgraced? Then, when that Court decides in violation of public right and public justice; not when it reverses that decision: then, when influenced by the most corrupt motives, they betray the trust reposed in them; not when they redress the injury arising from that violated faith.

Even admitting it to be an error only, if that error is big with consequences most fatal to that sacred constitution which we are bound to preserve at every hazard; shall we sit manacled by common forms, and see the ruin spread without interposing to avert destruction? When a house is in flames, do we hesitate to save the rest by pulling down those that are adjoining, because, in the common course of things, it would be injurious and unjust? And shall we interpose with less zeal to save the constitution from ruin, than to preserve a street from fire?

We are to consider then the nature of this decision, its tendency, and the consequences it is likely

likely to produce. If these are evidently great and ruinous, he who advises us to suffer them rather than dispense with ordinary forms, is actuated by the ignorance of a fool, or the art of a villain.

The fact is, that this decision concerns every freeholder of *Britain* as much as the H——e of C——s. Yet *Messala* asserts, that it turns upon a point of privilege. He has made it turn on every point of the political compass, and it will rest on none; for it is forced and fraudulent. But if the doctrine involved in all this be, that the privileges of the H——e must be founded and maintained in the subversion of the rights of the freeholder; it is a doctrine which every freeholder in the kingdom ought, in his own person, to resist. I maintain it, that every freeholder is bound to resist every such attempt in his own person, and to the last drop of his blood.

As long as their decisions operate within their own walls, there let them rest; but when they go forth among the people, trample upon their rights, and tear up property by its roots, the franchise of freehold, such decisions must be rescinded, or our constitution and all its boasted liberties must perish.

From comparing sentiments and style, it seems to me, that the author of this Piece and of the *American Controversy*, is the same person. He is endeavouring, for I cannot think any other person

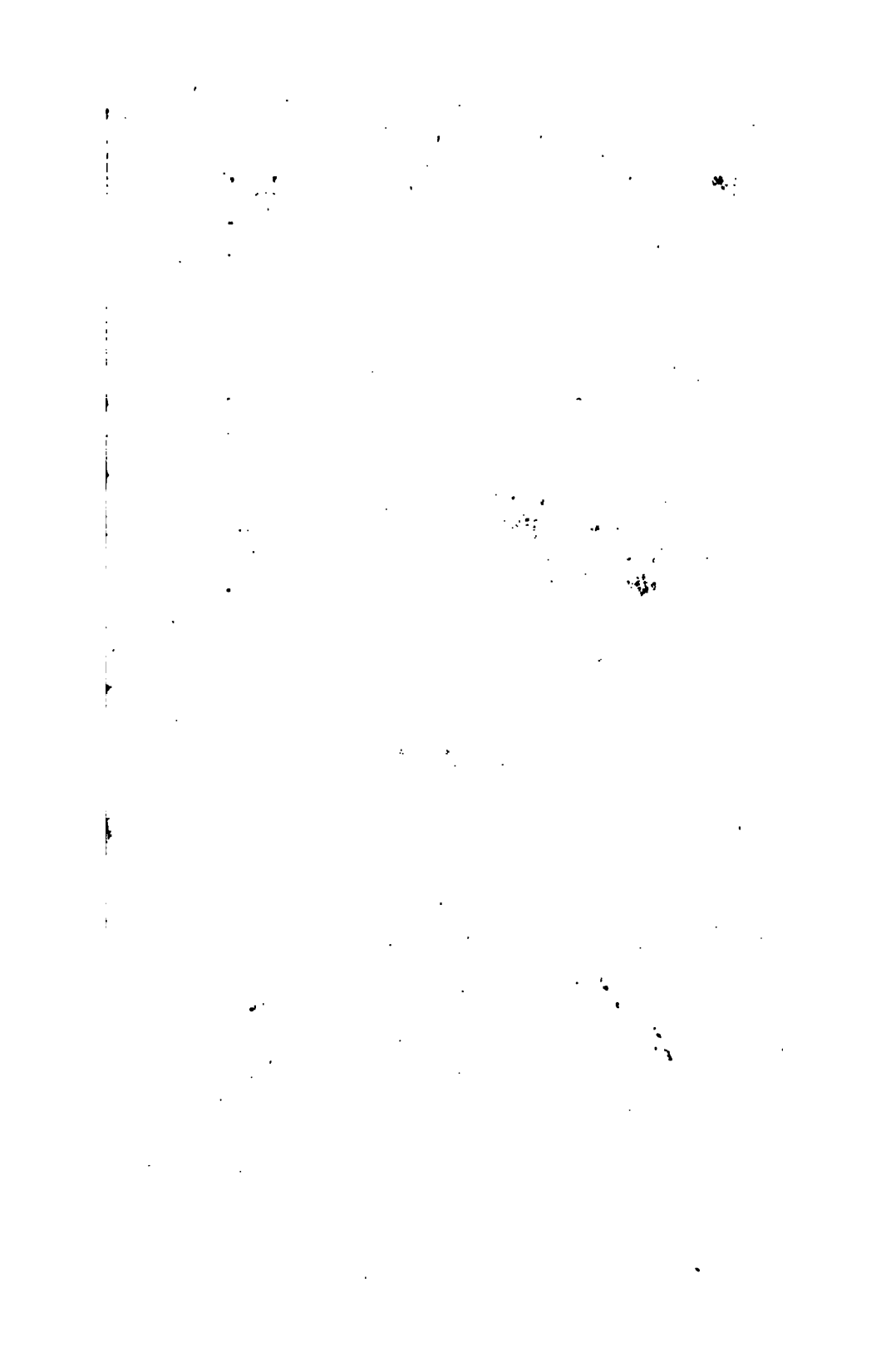
person would take the trouble, to spread his pernicious sophistry against *America*, by publishing his unread pamphlet, in extracts, under certain signatures in the daily papers. Having endeavoured to support the right of the H—e of C——s to an absolute and unconstitutional power over the people of *America*, it was perfectly consistent to vest them with the same authority over the people of *Great Britain*. Usurpation knows no bounds, and the spirit of despotism is for ever unsatisfied. When the representative freedom of the Colonies was first usurped by a certain Body here, wise men foresaw, that the same usurpation would be attempted in *Great Britain*. The event has justified the apprehension. Every honest man is convinced, that the cause of *America* is the common cause of the realm; that both countries have the same complaint, the same foes, and therefore claim the same friends.

Upon the whole, it must appear to every candid mind, that the arguments of *Messala* are contradictory, deceiving, and dangerous. That the question is not about the privileges of the H—e of C——s, but the rights, the sacred rights of the freeholders of *Great Britain*. That these rights have been violated by a late celebrated decision; which is, therefore, unjust. That an illegal decision ought in justice to be rescinded; and this the more immediately, the more dangerous it may be. That the voting Mr L——l
into

into the H——e, contrary to a majority of legal votes upon the poll, is assuming a power which the constitution never gave, and which cannot be exercised but to its mortal injury. For, as the Protest most wisely observes, “ If ever this “ pretended power should come to be exercised “ to the full extent of the principle, that House “ will be no longer the representative of the “ people, but a separate body, altogether independent of them, self-existing and self-elected.” To this fatal issue does this d——n directly lead, than which a greater calamity can never befall us, except one, and that is, *a tame submission to its exercise*. For we shall then miserably find, instead of *one tyrant*, which our fathers opposed in the House of *Stuart*, *six hundred* in the H. of H——r.

JUNIUS AMERICANUS.

[*To be continued.*]











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